

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 vs. )  
 )  
 ROXANA LANDFILL, INC., an Illinois )  
 corporation, MIDWEST SANITARY )  
 SERVICE, INC., an Illinois corporation, )  
 WRB REFINING LP, a Delaware limited )  
 partnership, and CONOCOPHILLIPS )  
 COMPANY, a Delaware corporation, )  
 )  
 Respondents. )

**PCB No. 12-123  
(Enforcement - Land)**

**NOTICE OF ELECTRONIC FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that on September 12, 2012, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, a MOTION FOR RELIEF FROM HEARING REQUIREMENT and STIPULATION AND PROPOSAL FOR SETTLEMENT AS TO ROXANA LANDFILL, INC., ONLY copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS  
LISA MADIGAN,  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: *Rachel R Medina*  
RACHEL R. MEDINA  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031

**CERTIFICATE OF SERVICE**

I hereby certify that I did on September 12, 2012, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING, MOTION FOR RELIEF FROM HEARING REQUIREMENT and STIPULATION AND PROPOSAL FOR SETTLEMENT AS TO ROXANA LANDFILL, INC., ONLY upon the persons listed on the Service List.

  
\_\_\_\_\_  
RACHEL R. MEDINA  
Assistant Attorney General

This filing is submitted on recycled paper.

**SERVICE LIST**

ConocoPhillips Company  
WRB Refining, LP  
c/o Donna H. Carvalho  
Senior Counsel  
Phillips 66  
PWC 8115, P.O. Box 4428  
Houston, TX 77210

Roxana Landfill, Inc.  
c/o Brian Konzen  
Lueders, Robertson & Konzen LLC  
1939 Delmar Avenue  
P.O. Box 735  
Granite City, IL 62040-0735

Midwest Sanitary Service, Inc.  
c/o Rene Bassett Butler  
Bassett Law Office, P.C.  
16 W. Lorena Ave.  
Wood River, IL 62095

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>vs.</b>	)	<b>PCB No. 12-123</b>
	)	<b>(Enforcement - Land)</b>
<b>ROXANA LANDFILL, INC., an Illinois</b>	)	
<b>corporation, MIDWEST SANITARY</b>	)	
<b>SERVICE, INC., an Illinois corporation,</b>	)	
<b>WRB REFINING LP, a Delaware limited</b>	)	
<b>partnership, and CONOCOPHILLIPS</b>	)	
<b>COMPANY, a Delaware corporation,</b>	)	
	)	
<b>Respondents.</b>	)	

**MOTION FOR RELIEF FROM HEARING REQUIREMENT**

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(c)(2) (2010), moves that the Illinois Pollution Control Board grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2010). In support of this motion, Complainant states as follows:

1. A Complaint was filed on April 23, 2012, with the Illinois Pollution Control Board ("Board") in this matter.
2. The parties have reached agreement on all outstanding issues in this matter.
3. This agreement is presented to the Board in a Stipulation and Proposal for Settlement, filed contemporaneously with this motion.
4. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2010).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2010).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS  
LISA MADIGAN  
ATTORNEY GENERAL

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY:   
RACHEL R. MEDINA  
Environmental Bureau  
Sr. Assistant Attorney General

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: September 12, 2012



**I. STATEMENT OF FACTS**

**A. Parties**

1. On April 23, 2012, a Complaint was filed on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2008), against the Respondents.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2008).

3. The Illinois Pollution Control Board ("Board") is an agency of the State of Illinois created by the Illinois General Assembly in Section 5 of the Act, 415 ILCS 5/5 (2008), and charged with the duty of promulgating regulations under the Act, pursuant to Section 26 of the Act, 415 ILCS 5/26 (2008).

4. Roxana Landfill, Inc. ("Roxana") is an Illinois corporation. Roxana operates the Roxana Landfill which is located at 4601 Cahokia Road, Roxana, Madison County, Illinois 62084. The registered agent for Roxana is CT Corporation System, 208 S. LaSalle St., Suite 814, Chicago, IL 60604.

5. The Roxana Landfill does not have a permit to accept hazardous waste.

6. WRB Refining, LP ("WRB") is a Delaware limited partnership. The registered agent for WRB is Corporation Service Company, 211 E. 7<sup>th</sup> St., Suite 620, Austin, TX 78701-3218. WRB owns the Conoco Phillips - Wood River Refinery ("COP Refinery") located at 900 South Central Avenue, Roxana, Illinois.

7. ConocoPhillips Company ("Conoco") is a Delaware corporation. The registered agent for Conoco is United States Corporation Co., 801 Adlai Stevenson Drive, Springfield, IL 62703. Conoco operates the COP Refinery located at 900 South Central Avenue, Roxana, Illinois.

8. Midwest Sanitary Service, Inc. is an Illinois corporation ("Midwest") located at 333 North Old St. Louis Road, Wood River, Madison County, Illinois. The registered agent for Midwest is CT Corporation System, 208 S. LaSalle St., Suite 814, Chicago, IL 60604.

9. Midwest is a transporter of non-hazardous, special and hazardous wastes.

**B. Allegations of Non-Compliance**

Complainant contends that the Respondent has violated the following provisions of the Act and Board regulations:

**Waste Disposal in Violation of Permit**

By accepting hazardous waste for disposal in violation of Permit 1990-322-LF ("Permit"), Roxana violated Condition II(2)(g) of their Permit and Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2008).

**Waste Disposal Without RCRA Permit**

By accepting hazardous waste for disposal without a RCRA permit for hazardous waste management, Roxana violated Section 703.121(a) of the Board's Waste Disposal Regulations and Section 21(d)(2) and (f) of the Act, 415 ILCS 5/21(d)(2) and (f) (2008).

**Special Waste Violation**

By accepting hazardous special waste for disposal without the appropriate manifest, Roxana violated Section 809.302(a) of the Board's Waste Disposal Regulations, 35 Ill. Adm. Code 809.302(a), and Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2008).

**Failure to Conduct Inspections**

By not examining at least three random loads on a random day each week, Roxana violated Section 811.323(c) of the Board's Waste Disposal Regulations, 35 Ill. Adm. Code 811.323(c), and Condition II(9) of the Permit.

**Sanitary Landfill Operation Violation**

By conducting a sanitary landfill operation which resulted in accepting hazardous waste without having a permit to accept hazardous waste, Roxana violated Section 21(o)(7) of the Act, 415 ILCS 5/21(o)(7) (2008).



**C. Non-Admission of Violations**

The Respondent represents that they have entered into this Stipulation for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Stipulation and complying with its terms, the Respondent does not affirmatively admit the allegations of violation within the Complaint and referenced within Section I.B herein, and this Stipulation shall not be interpreted as including such admission.

**D. Compliance Activities to Date**

Conoco and WRB dispatched environmental contractors to remove the hazardous petroleum oil-water separation sludge from the Roxana Landfill. The Respondent has subsequently maintained a program of load inspections which includes a weekly review of load inspection reports by the operations manager.

**II. APPLICABILITY**

This Stipulation shall apply to and be binding upon the Parties to the Stipulation, and any officer, director, agent, or employee of the Respondent, as well as any successors or assigns of the Respondent. The Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against the Respondent in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2008).

### **III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE**

Section 33(c) of the Act, 415 ILCS 5/33(c)(2008), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;
3. the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. The Parties' failure to prevent the unauthorized disposal of hazardous petroleum oil-water separation sludge and conduct weekly random load inspections threatened human health and the environment.
2. The parties agree that the Respondent's operations are of economic benefit to the surrounding community. Any social benefit is derived primarily from those employed by the Respondent.
3. Respondent's operations are suitable to the area in which they occur.
4. The parties agree it is both technically practicable and economically reasonable to prevent the disposal of hazardous waste at an unlicensed facility and conduct load inspections in compliance with the requirements of the Act, 415 ILCS 5/1 *et seq.* (2008), and associated regulations, and that Respondent is taking steps to comply with the Act.
5. Respondent has subsequently complied with the Act and the Board Regulations.

**IV. CONSIDERATION OF SECTION 42(h) FACTORS**

Section 42(h) of the Act, 415 ILCS 5/42(h)(2008), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection i of this Section, the non-compliance to the Agency; and
7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform.
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

1. The Respondent permitted a load of approximately 9 cubic yards of hazardous waste, namely petroleum oil-water separator sludge, to be disposed at the Roxana Landfill. The violations occurred on August 28, 2009 and were resolved the same day.
2. Respondent was diligent in attempting to come back into compliance with the Act, Board regulations and applicable federal regulations following the incident. The

Respondent has improved its load inspections program. In addition, the Respondent facilitated the recovery of the disposed materials.

3. The Respondents did not gain any economic benefit from its noncompliance.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Seven Thousand Dollars (\$7,000.00) and a supplemental environmental project with a value of Seven Thousand Dollars (\$7,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. Respondent has been previously adjudicated in violation of waste disposal regulations in *People of the State of Illinois v. Roxana Landfill, Inc.*, IPCB 11-4.

a. In the Illinois Pollution Control Board Case No. 11-4, a Stipulation and Proposal for Settlement was filed on July 27, 2010. Paragraph V.D.3 of that settlement provides that the Respondent "shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint." The Complaint alleged violations of Section 811.311(b)(1) and (2) of the Board's Waste Disposal Regulations, 35 Ill. Adm. Code 811.311(b)(1)-(2), and Sections 21(d)(1) and (2) of the Act, 415 ILCS 5/21(d)(1) and (2) (2008). The Board's Order issued on September 16, 2010 incorporates the Stipulation and Proposal for Settlement.

b. By violating Section 21(d)(1) and (2) of the Act, 415 ILCS 5/21(d)(1) and (2) (2008), Respondent violated the Board's Order and the Stipulation and Proposal for Settlement in the Illinois Pollution Control Board Case No. 11-4.

6. Conoco notified the Illinois EPA of the petroleum oil-water separator sludge disposal at Roxana Landfill on August 28, 2009.

7. The Respondent has agreed to undertake a supplemental environmental enforcement project providing disposal services to the State of Illinois as outlined in Section V.E below.

8. There is no compliance commitment agreement.

## **V. TERMS OF SETTLEMENT**

### **A. Penalty Payment**

1. The Respondent shall pay a civil penalty in the sum of Seven Thousand Dollars (\$7,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

### **B. Interest and Default**

1. If the Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, the Respondent shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, the Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by the Respondent not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

### **C. Payment Procedures**

All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency  
Fiscal Services  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

The name, case number and the Respondent's federal tax identification number shall appear on the face of the certified check or money order. A copy of the certified check or money order and any transmittal letter shall be sent to:

Rachel R. Medina  
Environmental Bureau  
Illinois Attorney General's Office  
500 South Second Street  
Springfield, Illinois 62706

**D. Future Compliance**

1. The Respondent shall upgrade the camera system for the facility by March 1, 2013. The camera system selected shall be a model which will better identify loads and reduce the possibility for potential, unauthorized waste streams to enter the facility.

2. Immediately following approval of this stipulation all scale house employees shall begin requesting all vehicles with automatic tarps to roll back or otherwise remove their tarps for load checking and directing all suspect loads to a separate load checking area. In addition, the Respondent shall direct a trained load inspector to inspect all suspect loads at the load checking area before the load is approved for disposal.

3. The Respondent shall expand its existing employee training program by August 31, 2012, as follows:

- a. The Respondent currently maintains profiles of all incoming approved waste streams in the scale house. The Respondent shall continue to do so.
- b. In addition to training the load checking officer, the Respondent shall cross-train all on-site employees associated with load checks and load screening in the load checking program. The training shall address appropriate responses to unauthorized loads.

4. Beginning on or before June 1, 2012, the Respondent shall consult a random selection device to determine on or about the first business day of each month, the dates for the randomly selected load checks each week.

5. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, shall have the right of entry into and upon the Respondent's facility which is the subject of this Stipulation, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, her employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

6. This Stipulation in no way affects the responsibilities of the Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board Regulations.

7. The Respondent shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint.

**E. Supplemental Environmental Project**

1. In order to promote the goals of the Act to restore, protect and enhance the quality of the environment, the Respondent shall perform the following supplemental environmental project ("SEP"). The settlement value of the SEP is Seven Thousand Dollars (\$7,000.00) and will offset penalties sought by the Complainant and the Illinois EPA in this matter. The Parties to the Stipulation agree that this SEP shall consist of the following:

- a. Respondent shall provide Complainant with a total of 200 tons of landfill capacity, at a gate rate of \$35, for the disposal of non-hazardous special waste and/or municipal solid waste at the Roxana Landfill, located at 4601 Cahokia Road, Roxana, Illinois. Without exclusion, all local and State fees must be paid by Respondent for the volumes accepted for disposal.

- b. Complainant shall notify Respondent that it intends to utilize a portion of the landfill capacity at least seven (7) business days prior to the date it will be needed for waste disposal.
- c. The Respondent and Complainant shall review the subject waste to determine acceptability of the waste into the landfill in accordance with state, federal and local rules and regulations. Upon approval by the Respondent, the Complainant may schedule shipments of waste for disposal.
- d. Upon disposal of any SEP waste, Respondent shall prepare a gate receipt evidencing the amount of waste received and the date of receipt. Copies of all of the receipts shall be forwarded to:

Paul M. Purseglove, Manager  
Illinois EPA Field Operations Section  
1021 North Grand Ave East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

In addition, the Respondent will provide reports to the parties listed in Section V.G. on a quarterly basis as to the waste weights received and waste weights remaining.

- e. Complainant shall utilize the above-noted landfill capacity within three (3) years from the date of a Board Order accepting this Stipulation or on or before August 31, 2015.

2. Upon completion of the SEP, the Respondent shall submit a project completion report, including a summary of all expenditures, to the contact persons identified in Section V.G for review and confirmation that the SEP was performed pursuant to this Stipulation. The project completion report shall include the following certification by a responsible corporate official of the Respondent:

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified



personnel properly gather and evaluate the information submitted based on my inquiry of those persons directly responsible for gathering the information, and that the information submitted in or accompanying this notification of final compliance is to the best of my knowledge true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and or imprisonment for knowing violations.

In the event that the SEP cannot be completed, the Respondent shall pay the balance of the settlement value of the SEP, up to the full value of the SEP, as an additional penalty pursuant to the procedures of Section V.C no later than the date by which the SEP should have been completed.

3. By signature on this Stipulation, the Respondent certifies that, as of the date of entry of this Order, it is not required to perform or develop the foregoing SEP by any federal, state or local law or regulation, nor is it required to perform or develop the SEP by agreement or injunctive relief in any other case. The Respondent further certifies that it has not received, and is not presently negotiating to receive credit for, the SEP in any other enforcement action.

4. Any public statement, oral or written, in print, film or other media, made by the Respondent making reference to any SEP shall include the following language: "This project was undertaken in connection with the settlement of an enforcement action taken by the Illinois Attorney General and the Illinois EPA for alleged violations of the Illinois Environmental Protection Act and regulations promulgated thereunder."

**F. Release from Liability**

In consideration of the Respondent's payment of the \$7,000.00 penalty, its commitment to cease and desist as contained in Section V.D. above, its performance of the SEP as contained in Section V.E. above, completion of all activities required hereunder, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges the Respondent from any further liability or penalties for the violations of the Act and Board Regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's Complaint

filed on April 23, 2012. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against the Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or regulations;
- c. liability for natural resources damage arising out of the alleged violations; and
- d. liability or claims based on the Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, or entity other than the Respondent.

**G. Correspondence, Reports and Other Documents**

Any and all correspondence, reports and any other documents required under this Stipulation, except for penalty payments, shall be submitted as follows:

As to the Complainant

Rachel R. Medina  
Assistant Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62702

Melanie Jarvis  
Assistant Counsel  
Illinois EPA  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Chris Cahnovsky  
Regional Manager  
Illinois EPA

2009 Mall Street  
Collinsville, Illinois 62234

As to the Respondent

Brian Konzen  
Lueders, Robertson & Konzen LLC  
1939 Delmar Avenue  
P.O. Box 735  
Granite City, Illinois 62040-0735

**H. Enforcement and Modification of Stipulation**

1. Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

2. The Parties to the Stipulation may, by mutual written consent, agree to extend any compliance dates or modify the terms of this Stipulation. A request for any modification shall be made in writing and submitted to the contact persons identified in Section V.G. Any such request shall be made by separate document, and shall not be submitted within any other report or submittal required by this Stipulation. Any such agreed modification shall be in writing, signed by authorized representatives of the Parties to the Stipulation.

**I. Execution of Stipulation**

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS,

FOR THE ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

LISA MADIGAN  
Attorney General  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
Asbestos Litigation Division

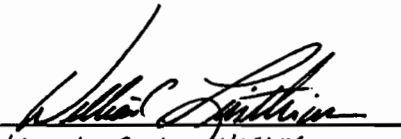
BY: \_\_\_\_\_  
JOHN J. KIM  
Interim Director

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
THOMAS DAVIS, Chief  
Environmental Bureau  
Assistant Attorney General

DATE: \_\_\_\_\_

ROXANA LANDFILL, INC.

BY:   
WILLIAM C. LUTHICUM  
GENERAL MANAGER

DATE: AUGUST 13, 2012

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PEOPLE OF THE STATE OF ILLINOIS,

FOR THE ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

LISA MADIGAN  
Attorney General  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
Asbestos Litigation Division

BY:

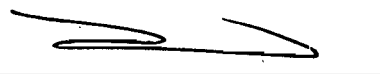


JOHN J. KIM  
Interim Director

DATE:

9/7/12

BY:



THOMAS DAVIS, Chief  
Environmental Bureau  
Assistant Attorney General

DATE:

9/11/12

ROXANA LANDFILL, INC.

BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE:

\_\_\_\_\_