

PRESS RELEASE



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**MADIGAN STRENGTHENS AGREEMENT WITH HILLSIDE
LANDFILL OWNER TO ADDRESS RELEASE OF HARMFUL GASES
AND PREVENT POSSIBLE GAS EXPLOSIONS**

Chicago – Attorney General Lisa Madigan today announced that the Cook County Circuit Court has entered an order, strengthening an earlier agreement, to ensure that the owners of a Hillside landfill curb the release of harmful gases and prevent the spread of those gases both through the air and ground to neighboring businesses and homes.

The landfill is located at 4100 W. Frontage Road in Hillside, within a densely populated residential area and adjacent to churches and businesses. Earlier this year, neighbors reported being sickened by fumes. Recently, methane-containing landfill gas was found to be migrating through rock and sewer lines into the Holiday Inn, Progressive Life Giving World Church and two homes next to the landfill. At certain levels, methane gas may cause explosions.

“The gases being released from the Hillside landfill cause more than just a bad odor. Methane gas can be dangerous if not carefully monitored and intercepted,” Madigan said. “Today’s agreement ensures that the necessary pollution control measures will be taken.”

Madigan said the Agreed Order, entered yesterday, April 4, addresses the problem of the newly-discovered underground gas migration. The order is the result of an agreement reached between Madigan’s office and Congress Development Company (CDC), the owner of the Hillside landfill. The agreement stems from a lawsuit Madigan filed against CDC and other defendants in January 2006.

Madigan said yesterday’s order will require CDC to immediately drill at least 60 new perimeter collection wells to prevent landfill gas from migrating off site and eliminate the threat of an explosion hazard in off-site buildings.

The order also requires CDC to test potential gas pathways on a regular basis and install methane detectors in all buildings where landfill gas methane has been detected. In some locations, additional equipment must be installed to automatically telephone the local fire department and the Illinois Emergency Management Agency if methane levels reach a dangerous level. The defendants must perform an area-wide survey to identify all affected buildings and must report weekly to the Office of the Attorney General on test results.

The order also provides that if homes or the church are evacuated by the fire department because of methane, the defendants will be required to pay living expenses for those evacuated until it is safe to return.

Earlier this year, Madigan's office filed an Agreed Preliminary Injunction and Order to require CDC to install a new gas collection system at the site to alleviate the release of noxious gas from the landfill. That order, however, only addressed the issue of airborne fumes.

Landfill gas, which contains almost 50 percent methane, is created from waste that degrades in landfills and is required to be managed using collection systems. Without proper management and maintenance, the landfill gas can escape into the environment.

In January, neighbors of the landfill reported to the Illinois Environmental Protection Agency (IEPA) that noxious odors were being released, causing people in the area to become ill. Subsequent inspections by the IEPA concluded that landfill gas fumes were being emitted and resulted in the odors. The IEPA then referred the case to Madigan's office on January 12, 2006.

On Friday, January 20, Madigan filed a Complaint and Motion for Preliminary Injunction in Cook County Circuit Court. According to the lawsuit, the defendants, including CDC, Jay A. Steinberg, as Chapter 7 Trustee of bankrupt Resource Technology Corporation, and Harry Henderson, as receiver, failed to adequately operate and maintain the landfill's methane gas collection system in violation of the Illinois Environmental Protection Act.

Assistant Attorneys General Vanessa Vail and Christopher Grant are handling the case for Madigan's Environmental Bureau.