



For Immediate Release

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MADIGAN, GLASGOW: ROAD CONTRACTOR AND TWO OTHERS GUILTY OF DUMPING HAZARDOUS SUBSTANCE

Chicago – Attorney General Lisa Madigan and Will County State’s Attorney James Glasgow announced that an Elgin paving contractor, its corporate officer and a former employee pleaded guilty to illegal dumping charges and have been ordered to pay a combined \$416,000 in clean-up costs, fines and restitution.

In Will County Circuit Court, A.C. Pavement Striping Company (ACP) of Elgin, along with Vice-President and General Manager Jeffrey K. Bergquist and Joseph LaRusso, a former ACP division manager, entered guilty pleas August 29 to misdemeanors for Discharging Contaminants into Waters of the State and Open Dumping. The charges filed August 11 alleged Bergquist and LaRusso were involved with other ACP employees who illegally dumped trichloroethylene (TCE) in DuPage River Park, 808 Royce Road, in Naperville during road resurfacing work which the city had hired the company to undertake during the summer of 2003.

TCE is used as an industrial degreasing solvent and is a known human carcinogen. Madigan and Glasgow alleged that the defendants used gallons of the substance in an attempt to dislodge paving materials that had become stuck in a piece of the company’s equipment.

“There is no excuse for this wanton disrespect of environmental laws that are designed to protect citizens from the public health and environmental hazards posed by potentially deadly solvents like TCE,” Madigan said.

“The hefty remediation costs and fines imposed in this plea demonstrate once again how Attorney General Madigan and the Will County State’s Attorney’s Office have worked together to protect the health of our citizens,” Glasgow said. “Inhaling even small amounts of TCE can cause headaches and respiratory problems. Breathing high levels of TCE over an extended period can cause lung, liver and/or heart damage. A.C. Pavement and Striping Company will be held accountable for correcting all of the environmental damage caused by its negligent dumping of this toxic chemical on public property in Naperville.”

Judge Bennett Braun imposed the following sentences and conditions:

- A.C. Pavement was sentenced to two years conditional discharge and ordered to pay: \$10,000 in fines, fees and court costs; \$35,000 to cover the remaining remediation costs anticipated by the City of Naperville, in addition to \$188,463.51 already paid to the City; and \$250,000 in restitution;
- Jeffrey K. Bergquist was sentenced to two years probation and ordered to pay \$2,500 in fines, fees and court costs and \$82,500 in restitution; and
- Joseph LaRusso also was sentenced to two years probation and ordered to pay \$2,500 in fines, fees and court costs and \$33,500 in restitution.

Madigan's Environmental Crimes Bureau Chief Mitchell Cohen and Assistant Attorney General Colette Melhuish handled the case with Will County Assistant State's Attorney Matthew Guzman. The Illinois Department of Natural Resources (IDNR) conducted the criminal investigation and the Illinois Environmental Protection Agency (IEPA) coordinated the site remediation.

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