



August 18, 2010

**ATTORNEY GENERAL MADIGAN: HILLSIDE LANDFILL DEFENDANTS PAY
\$1 MILLION PENALTY FOR PAST VIOLATIONS**

Consent Decree Charts Future of Continued Cleanup

Chicago — Attorney General Lisa Madigan today said that the Cook County Circuit Court has entered a Final Consent Order designed to bring an end to the long running battle over the cleanup of the Hillside Landfill and the elimination of the odor problems that have plagued the surrounding area for years. The consent order, filed yesterday, is the result of the Attorney General's lawsuits alleging violations of air, land, surface water and groundwater regulations by defendants Congress Development Co., John Sexton Sand & Gravel Corp. and Allied Waste Transportation, Inc.

"Hillside residents have waited a long time for this day," said Attorney General Madigan. "This final action ensures that the owners and operators of this notoriously offensive landfill will correct their ongoing violations. They also must monitor and correct any future problems while properly closing the landfill."

Madigan empathizes with neighbors of the former solid waste landfill located at 4100 W. Frontage Rd., Hillside, IL who have endured periods of sometimes nauseating odors since at least January 2004. The Illinois Environmental Protection Agency (IEPA) referred the case to Madigan's office for enforcement.

"Landfills should be designed and managed in a manner that does not interfere with the quality of life of their neighbors," said IEPA Director Doug Scott. "This one obviously did not meet that standard. I'm grateful for the work that the Attorney General has done to see that owners and operators of the Hillside Landfill comply with our laws and regulations.

"With the entry of the Consent Order, Judge Sophia Hall ordered the defendants to pay a civil penalty of \$1 million to address the past conduct that was the subject of Attorney General Madigan's complaints. In addition, the judge ordered the defendants to pay \$100,000 to IEPA for costs incurred up to the entry of today's agreement and up to \$25,000 for future costs associated with IEPA implementing a Community Relations Plan. Additionally, the defendants will reimburse the Attorney General's office \$100,000 for its costs of investigating and litigating the case.

Today's consent decree also confirms that the actions required of the defendants in prior agreed preliminary injunctions entered in April 2006 and January 2007 have been completed. Those actions included:

- Addressing the alleged hazards created by the uncontrolled release of landfill gas; and
- Evaluating and controlling all of the causes of odors at the site which, in conjunction with the installation of a 55-acre cover system, achieved a significant reduction in both reported odor complaints and surface emissions within the past year.

"This agreement does not signify that all the work is done," Madigan cautioned. "We will be vigilant in monitoring how the defendants complete the job of making the violations and nuisances associated with Hillside Landfill a thing of the past."

According to the order, within 45 days, the defendants are required to submit to Madigan's office and the IEPA a Landfill Compliance Plan that will include, among other things, a number of work plans that address:

- landfill settlement and the effect it may have on the facility's cover;
- landfill gas collection and control systems and air quality;
- monitoring and corrective actions;
- leachate (contaminated waste water) monitoring and removal;

- surface water management; and
- groundwater monitoring and corrective actions.

Supervising Attorney Elizabeth Wallace is handling the case for Attorney General Madigan's Environmental Bureau.

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