



November 12, 2015

AG MADIGAN ANNOUNCES CLINTON LANDFILL LAWSUIT, SETTLEMENT***Landfill will be prevented from accepting certain chemical waste***

Chicago — Attorney General Lisa Madigan today announced a settlement with Clinton Landfill Inc. that will prohibit it from accepting certain chemical waste without first obtaining local governmental siting approval. For years, the validity of the landfill's permit has been called into question as it accepted various toxic chemicals.

Madigan filed the lawsuit, and the court entered the consent order today in DeWitt County Circuit Court. The consent order will prevent the landfill from accepting certain chemical wastes, including polychlorinated biphenyls (PCBs) regulated by the Toxic Substances Control Act. PCBs are no longer produced in the U.S. but can be found in old electrical devices, plastics, some paints and insulation materials. According to the U.S. Environmental Protection Agency, PCBs have been shown to cause cancer and have other adverse health effects.

The landfill also will be prohibited from accepting hazardous levels of manufactured gas plant (MGP) wastes, which are generated through the remediation of former sites where coal or oil was processed into a gas for heating, cooking and lighting prior to the introduction of natural gas. Madigan said the company will also be required to fully comply with state environmental regulations and permits that include the requirement to conduct regular groundwater sampling tests to ensure that no harmful contaminants are being released from the landfill while it operates and after it closes.

"Clinton Landfill attempted to evade state law by not seeking local approval to accept certain chemical waste," said Madigan. "This action will prohibit the landfill from receiving hazardous waste, and it protects the public's right to be heard before chemicals are accepted by landfills in their neighborhoods." Madigan said.

Clinton Landfill Inc. originally obtained local siting approval from the DeWitt County Board to operate as a municipal solid waste landfill. Years later, the landfill owners erroneously applied for and obtained a permit from the Illinois Environmental Protection Agency to build and operate a chemical waste unit within the boundaries of the municipal solid waste landfill.

As a result, a coalition comprised of local governments and local government officials filed a complaint with the Illinois Pollution Control Board (IPCB), and Madigan's office intervened as a complainant in the matter. The IPCB dismissed the case, and the coalition and Attorney General's office filed a petition for review with the 4th District Appellate Court. This matter remains in the appellate court. In the appeal, the Attorney General contends that the IPCB erred in deciding not to review Clinton Landfill's failure to obtain the DeWitt County Board's approval before constructing and operating a chemical waste unit. Today's settlement resolves the issues in the appeal. As a result of the court entering today's consent order, the parties will seek to dismiss the appellate case within seven days.

Assistant Attorneys General Stephen Sylvester and Jennifer Van Wie handled the case for Madigan's Environmental Bureau.

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