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ATTORNEY GENERAL MADIGAN FILES LAWSUITS AGAINST LANDFILLS FOR CONSTRUCTION AND DEMOLITION DEBRIS

Chicago — Attorney General Lisa Madigan announced two lawsuits against the owner of two LaSalle County clean construction or demolition debris (CCDD) facilities.

Madigan filed the lawsuits Thursday in LaSalle County Circuit Court against Sheridan-Joliet Land Development, LLC and Sheridan Sand & Gravel Co. (Sheridan) related to CCDD fill operations at two Sheridan, Ill., locations: 2679 N. 4201 Road (N4201) and 105 S. Wiensland Road (Wiensland). Madigan's lawsuits alleged both CCDD locations accepted truckloads of debris that contained waste which is not allowed at the sites. The lawsuits are based on an April 2018 referral Madigan's office received from the Illinois Environmental Protection Agency (EPA).

According to Madigan's lawsuits, in April 2017, inspectors with the EPA conducted compliance evaluations at both Sheridan fill operations. At N4201, inspectors found the facility had received four truckloads of debris containing wood, metal, plastic and glass mixed with soil and brick fragments, and the company failed to certify the truckloads as being uncontaminated, which is required by law. Inspectors also observed the facility did not have any barriers in place to confine storm water and water runoff to the site, and water was emptying freely into a nearby creek. At the Wiensland fill operation, which had been inactive since February 2015, inspectors reviewing reports found the facility had accepted approximately 18 truckloads of debris in 2015 that also had not been certified as being uncontaminated. The debris included wood, metal, and dry cell batteries.

"CCDD facilities have a responsibility to surrounding communities to follow state law and ensure they do not accept waste that could contaminate soil or drinking water and groundwater," Madigan said. "My lawsuits require that Sheridan take steps immediately to protect the environment and the public's health."

CCDD fill operations are typically conducted at the locations of former quarries, mines or other excavation sites. Under state law, CCDD fill operations must only collect clean construction or demolition debris, such as uncontaminated concrete without protruding metal bars, bricks, rock, stone, asphalt, or soil generated from construction or demolition activities. State law requires CCDD operations to designate an inspector to ensure that each truckload of debris meets regulations and does not include any other form of waste.

The two Sheridan facilities were the subject of previous complaints brought by the Attorney General before the Illinois Pollution Control Board, which were resolved pursuant to an order entered on May 15, 2013.

Madigan is asking the court to require Sheridan to take action to evaluate and remediate any contamination, to cease and desist from accepting and disposing of any waste at the two facilities, and to impose civil penalties.

Assistant Attorney General Kathryn Pamentier is handling the case for Madigan's Environmental Bureau.

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