

IL Pollution Control Board Issues \$20,000 Penalty to Clean Construction and Demolition Debris Fill Business

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The Illinois Pollution Control recently entered summary judgment against one of the defendants in *People v. 87th & Greenwood, LLC, No. PCB 10-71*, which concerned a storage facility located at 1040 E. 87th Street, Chicago, Cook County, IL and a clean construction and demolition debris fill business operated by Land Reclamation Services ("LRS") located at 1127 South Chicago Street, Joliet, Will County, IL.

The State alleged that defendants violated the Illinois Environmental Protection Act by causing and allowing the disposal of waste at the LRS site, disposing of waste at the LRS site that was not permitted for waste disposal by the Illinois Environmental Protection Agency (the "IEPA"), and causing and allowing the disposal of approximately 350 truckloads of waste at the LRS Site, thereby conducting a waste disposal operation without a permit. IEPA inspectors found that the soil taken to the LRS Site contained a number of compounds at levels which exceeded background levels for both the City of Chicago and the Chicago Metropolitan Area. These contaminants included benzo(a)anthracene, carbazole, cadmium, copper, iron, lead, magnesium, beryllium, antimony, and total chromium.

The State filed a motion to deem facts admitted and for summary judgment against LRS, who failed to file an answer to the State's complaint in this case. The Illinois Pollution Control Board granted the motion and directed LRS to pay a civil penalty of \$20,000.

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