

Settlement of State Enforcement Action Against Operator of CCDD Facility

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On March 18th, the Illinois Pollution Control Board accepted the settlement in *People v. Western Sand & Gravel Co., No. PCB 10-022*, which concerned the defendant's Clean Construction or Demolition Debris ("CCDD") Facility at the intersection of 178 and I-80 in La Salle County, Illinois.

The State alleged that the defendant violated the Illinois Environmental Protection Act by failing to: (1) conduct visual inspections, inspections with a photo ionization detection ("PID") instrument for each incoming load, and discharge inspections of at least one randomly selected load delivered to the facility each day, (2) failing to retain records evidencing that a load checking program is being used at the facility, (3) failing to properly train its personnel at the facility to identify material that is not CCDD, and (4) failing to keep and maintain a calibrated PID instrument at the facility for checking loads of CCDD. The State also alleged that the defendant failed to (1) restrict unauthorized vehicular access to the working face of the facility and (2) post a permanent sign at the entrance to the facility stating that only CCDD is accepted for use as fill. The State also alleged that the defendant failed to maintain an operating record at the facility.

Under the terms of the settlement, the defendant neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$3,120.

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