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# Illinois sues to close landfill

By Larry Spohn
Metro-East Journal Staff

Illinois Atty. Gen. William Scott filed suit today to shut down a hazardous materials landfill at Wilsonville.

Scott has also asked the General Assembly to adopt legislation prohibiting disposal of polychlorinated biphenyls (PCBs) from other states in Illinois.

Scott's suit is a boost to efforts by the city of Wilsonville and Macoupin County to obtain an injunction halting disposal of toxic wastes at the landfill.

However, Scott said his action is independent, based on the powers of the attorney general to protect the state's water supply. Scott will allege in his suit that the landfill poses a contamination threat to the water supply.

Lawyers for the Earthline Corp., which operates the landfill, could not be reached today.

The landfill came under criticism from Wilsonville and Macoupin County residents after it was learned that contaminated dirt from a Missouri dump was being shipped to Wilsonville on orders of the U.S. Environmental Protection Agency.

Residents claim they were never informed that the landfill, operating since last fall, would contain hazardous materials. Earthline and the Illinois Environmental Protection Agency, which licensed the landfill, maintain the residents were informed and they further contend the landfill is safe.

Scott, who went to Carlinville to file the suit, said, "My job is to enforce the environmental laws of the state." He suggested that the Illinois EPA was not acting in the public interest, partly because it has refused to release specific information about the landfill. Earthline claims trade secrets are contained in the information.

Scott said he does not consider the dumping of the hazardous materials in a heavily-populated state a trade secret.

He accused the state EPA of making "some incredible statements like 'We're not going to tell you what's in there, but we can tell you its worse than PCBs,' which are banned by the federal government."

"I'm obviously very much concerned with what's in that landfill," he said.

PCBs in large concentrations can have humans and are believed to cause cancer if taken in small doses over a long period.

Lee Essel, director of the Illinois EPA, said he sympathizes with residents who want to know what's in the landfill, and said he is preparing new legislation that would permit his agency to reveal the information.

Essel said he felt Scott's action might be counterproductive because "if we do not provide for safe licensed landfills this stuff is going to be dumped down sewers in the middle of the night."

Circuit Judge John Russell in the Wilsonville-Macoupin County suit has ordered that the secret state and Earthline Corp. data on the landfill be examined by a team of scientists. However, Russell has yet to rule on whether the information should be revealed in open court.

That case is scheduled to resume June 6.

On his request for legislation prohibiting importation of PCBs, Scott said, "We do not want Illinois to become the dumping ground for the nation for all of these chemicals (industrial wastes)."

Scott said he requested the legislation because of an announcement in Indiana that the state planned to ship 1,000 tons of material containing PCBs to an Illinois landfill.

He said he would urge legislators to take quick action because "the very rapid expansion of this thing is getting out of hand."

Scott said he expects bipartisan support for the legislation, which, he said, would be sponsored by State Sen. Vince DeMuzio, D-Carlinville, and State Rep. A. C. "Junie" Bartulis, R-Bonid.

In addition to the questions raised by the landfill itself, Scott said he also is concerned about the shipment of toxic materials within the state. "We have to keep our fingers crossed all along the way to make sure there would be no accident," Scott said.

Essel, of the EPA, said the question of prohibiting industrial wastes from other states is "a tricky legal area . . . and a terribly important problem."

He said state action prohibiting importation might not be constitutionally sound and it might conflict with federal legislation.

Essel said the Congress last fall adopted laws that tell the states to individually begin policing industrial toxic wastes or the federal government will. Regulations on the law are ex-