

AUG 4 2003

65448-POH

STATE OF ILLINOIS
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD *Pollution Control Board*

MICHAEL WATSON,

Petitioner,

vs.

COUNTY BOARD OF KANKAKEE COUNTY,
ILLINOIS, and WASTE MANAGEMENT OF
ILLINOIS, INC.,

Respondent.

No. PCB 03-134

(Pollution Control Facility Siting Appeal)

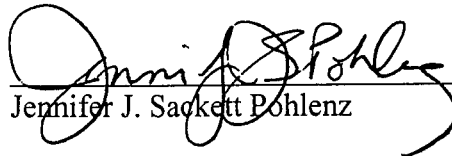
Consolidated With PCB 03-125, 03-133,
03-135)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on August 4, 2003, we filed with the Illinois Pollution Control Board, the attached **Petitioner Watson's Notice of Intent to File a Response to County Board of Kankakee's and County of Kankakee's Motion to Compel Payment of Record Costs**, a copy of which is attached hereto and served upon you.

QUERREY & HARROW, LTD.


Jennifer J. Sackett Pohlenz

Jennifer J. Sackett Pohlenz
QUERREY & HARROW, LTD.
175 West Jackson Boulevard
Suite 1600
Chicago, Illinois 60604
(312) 540-7000
Attorney Registration No. 6225990
Attorneys for Petitioner Michael Watson
Document #: 846145

PROOF OF SERVICE

Alesia Mansfield, a non-attorney, on oath states that she served the foregoing **Notice of Filing, along with copies of document(s) set forth in this Notice**, on the following parties and persons at their respective addresses and/or fax numbers, this 4th day of August, 2003, by or before the hour of 4:30 p.m. in the manners stated below:

Via U.S. Mail

Donald Moran
Pedersen & Houpt
161 North Clark Street
Suite 3100
Chicago, IL 60601-3242
Fax: (312) 261-1149
Attorney for Waste Management of Illinois, Inc.

Via U.S. Mail

Kenneth A. Leshen
One Dearborn Square
Suite 550
Kankakee, IL 60901
Fax: (815) 933-3397
Representing Petitioner in PCB 03-125

Via U.S. Mail

George Mueller
George Mueller, P.C.
501 State Street
Ottawa, IL 61350
Fax: (815) 433-4913
Representing Petitioner in PCB 03-133

Via U. S. Mail

Leland Milk
6903 S. Route 45-52
Chebanse, IL 60922-5153
Interested Party

Via U.S. Mail

Charles Helston
Richard Porter
Hinshaw & Culbertson
100 Park Avenue
P.O. Box 1389
Rockford, Illinois 61105-1389
Fax: (815) 490-4901
Representing Kankakee County Board

Via U. S. Mail

Patricia O'Dell
1242 Arrowhead Drive
Bourbonnais, IL 60914
Interested Party

Via U.S. Mail

Keith Runyon
1165 Plum Creek Drive
Bourbonnais, IL 60914
Fax: (815) 937-9164
Petitioner in PCB 03-135

Via U.S. Mail

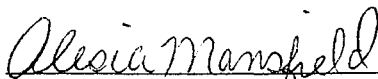
L. Patrick Power
956 North Fifth Avenue
Kankakee, IL 60901
Fax: (815) 937-0056
Representing Petitioner in PCB 03-125

Via U.S. Mail

Elizabeth S. Harvey, Esq.
Swanson, Martin & Bell
One IBM Plaza, Suite 2900
330 North Wabash
Chicago, IL 60611
Fax: (312) 321-0990
Representing Kankakee County Board

Via Hand Delivery

Bradley P. Halloran
Illinois Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 W. Randolph Street
Chicago, IL 60601
Hearing Officer


Alesia Mansfield

AUG 4 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

MICHAEL WATSON,

Petitioner,

vs.

**COUNTY BOARD OF KANKAKEE
COUNTY, ILLINOIS, and WASTE
MANAGEMENT OF
ILLINOIS, INC.,**

Respondent.

No. PCB 03-134

**(Pollution Control Facility Siting
Appeal)**

**Consolidated With PCB 03-125, 03-133,
03-135)**

**PETITIONER WATSON'S NOTICE OF INTENT TO FILE A RESPONSE TO
COUNTY BOARD OF KANKAKEE'S AND COUNTY OF KANKAKEE'S
MOTION TO COMPEL PAYMENT OF RECORD COSTS**

NOW COMES the Petitioner, Michael Watson (Watson), and for his Response to the County Board of Kankakee's and County of Kankakee's (hereinafter collectively referenced as "County Board") Motion to Compel Payment of Record Costs, states as follows:

1. On July 30, 2003, the County Board filed a Motion to compel payment of a pro-rata share of the certification on appeal from the City of Kankakee and Michael Watson, individually. This Notice of Intent to File a Response addresses only the County Board's Motion as relates to Mr. Watson, as the County Board incorrectly has sought payment for certifying the record on appeal from a citizen who is exempt from such payment under Section 39.2(n) of the Illinois Environmental Protection Act.

2. Petitioner Watson intends to utilize the fourteen (14) day time period allowed for a response to a motion, pursuant to 101.500(d) of the Illinois Pollution Control Board Rules. Since Waste Management of Illinois, Inc., on or about August 1, 2003, filed a waiver of the

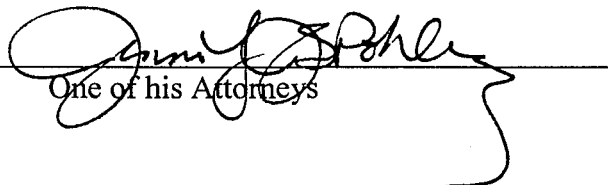
statutory decision deadline until September 4, 2003, the statutory deadline does not require that the Illinois Pollution Control Board make a decision in this matter, or on the County Board's Motion, until subsequent to the fourteen (14) day response period of Section 101.00(d).

WHEREFORE, Michael Watson respectfully provides notice to the Illinois Pollution Control Board that it intends to file a Response to the Motion, within the timeframe provided under Section 101.500(d) of the Illinois Pollution Control Board Rules, and that such timeframe does not end until August 13, 2003, which occurs after the Illinois Pollution Control Board meeting scheduled for August 7, 2003. Therefore, Petitioner Watson respectfully requests the Illinois Pollution Control Board not render a decision on the County Board's Motion to Compel until after August 13, 2003.

Dated: August 4, 2003

Respectfully Submitted,

PETITIONER MICHAEL WATSON

By: 
One of his Attorneys

Jennifer J. Sackett Pohlenz
QUERREY & HARROW, LTD.
175 W. Jackson, Suite 1600
Chicago, Illinois 60604
(312) 540-7000
Attorneys for Michael Watson
Illinois Attorney No. 6225990