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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CLERK'S OFFICE

SEP 02 2003

ROCHELLE WASTE DISPOSAL, L.L.C.)

Petitioner,)

vs.)

CITY COUNCIL OF THE CITY OF)
ROCHELLE, ILLINOIS,)

Respondent.)

No. PCB 03- 218

STATE OF ILLINOIS
Pollution Control Board

(Pollution Control Facility
Siting Appeal)

NOTICE OF FILING

TO: Counsel or Parties on attached Certificate of Service.

YOU ARE HEREBY NOTIFIED, that on August 28, 2003, we filed an original and nine copies of the attached Subpoena Duces Tecum served upon Richard Ohlinger and Spencer Hayden with the Illinois Pollution Control Board, a copy of which is herewith served on you.

ROCHELLE WASTE DISPOSAL, L.L.C.

By: _____

Michael F. O'Brien

Michael F. O'Brien
McGreevy, Johnson & Williams, P.C.
6735 Vistagreen Way
P.O. Box 2903
Rockford, IL 61132
815/639-3700
815/639-9400 (Fax)

Before the Illinois Pollution Control Board

RECEIVED
CLERK'S OFFICE

SEP 02 2003

STATE OF ILLINOIS
Pollution Control Board

ROCHELLE WASTE DISPOSAL, L.L.C.)

_____)

_____)

Complainant/Petitioner,)

PCB 03-218

v.)

CITY COUNCIL OF THE CITY OF)

ROCHELLE, ILLINOIS,)

_____)

Respondent.)

SUBPOENA DUCES TECUM

TO: Spencer Hayden
902 Carlisle Drive, Apt. A
Rochelle, IL 61068

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)
(2002)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give

testimony at the ~~hearing~~ deposition in the above-captioned matter at 10 o'clock

_____ a .m. on Wednesday, September 3, 20 03, at

Rochelle City Hall, 420 North Sixth Street, Rochelle, IL 61068

You are also ordered to bring with you documents relevant to the matter under

consideration and designated herein, (1) Any and all documents in your possession relating to any communication between November 22, 2002, and May 1, 2003, any member of the Rochelle City Council had with anyone (other than the City's attorneys) regarding the proposed expansion of the Rochelle landfill. (2) Any election or campaign materials, speeches or letters to the editor of any newspaper you prepared or distributed since January 1, 2001, relating to the proposed expansion of the Rochelle landfill.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g) and 101802.

ENTER:

Dorothy M. Gunn

Dorothy M. Gunn, Clerk
Pollution Control Board

Date: April 25, 2003

I served this subpoena duces tecum by handing a copy to SPENCER HAYDEN

_____ on August 27, 2003.

[Signature]

Subscribed and sworn to before me this 28th day of August

20 03.



Susan L. McIntyre
Notary Public

Before the Illinois Pollution Control Board

ROCHELLE WASTE DISPOSAL, L.L.C.)
)
 _____)
)
 _____)
)
 Complainant/Petitioner,)
)
 v.)
)
CITY COUNCIL OF THE CITY OF)
)
ROCHELLE, ILLINOIS,)
)
 _____)
)
 Respondent.)

PCB 03-218

RECEIVED
 CLERK'S OFFICE
 SEP 02 2003
 STATE OF ILLINOIS
 Pollution Control Board

SUBPOENA DUCES TECUM

TO: Richard Ohlinger
 5629 South Park Place Drive
 Rochelle, IL 61068

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)
 (2002)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give
 testimony at the ~~hearing~~^{XXXXX}/deposition in the above-captioned matter at 12 o'clock
 p .m. on Wednesday, September 3, 20 03, at
Rochelle City Hall, 420 North Sixth Street, Rochelle, IL 61068

You are also ordered to bring with you documents relevant to the matter under
 consideration and designated herein, (1) Any and all documents in your possession relating
to any communications between November 22, 2002, and May 1, 2003, any member of the
Rochelle City Council had with anyone (other than the City's attorneys) regarding the proposed
expansion of the Rochelle landfill. (2) Any election or campaign materials, speeches or letters
to the editor of any newspaper you prepared or distributed since January 1, 2001, relating to
the proposed expansion of the Rochelle landfill.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g) and 101802.

ENTER:

Dorothy M. Gunn

Dorothy M. Gunn, Clerk
Pollution Control Board

Date: April 25, 2003

I served this subpoena duces tecum by handing a copy to *RICHARD OHLINGER*

_____ on *August 27*, 20*03*.

[Signature]

Subscribed and sworn to before me this *28th* day of *August*

20 *03*.



Susan L. McIntyre
Notary Public

ATTORNEY'S CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, depose and say that I am an attorney and served the foregoing instrument upon the within named:

Mr. Brad Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, 11th Floor
Chicago, IL 60601

Charles Helsten, Esq.
Richard Porter, Esq.
Hinshaw & Culbertson
100 Park Avenue
Rockford, IL 61101

Alan Cooper, Esq.
Rochelle City Attorney
400 May Mart Drive
P.O. Box 194
Rochelle, IL 61068

by sealing a true and correct copy of the same in an envelope, addressed as shown above, with sufficient United States postage and by depositing said envelope, so sealed and stamped, in the United States Mail at Rockford, Illinois, at or about the hour of 5 o'clock p.m., on the 28th day of August, 2003.



Michael F. O'Brien

Michael F. O'Brien
McGreevy, Johnson & Williams, P.C.
6735 Vistagreen Way
P.O. Box 2903
Rockford, IL 61132
815/639-3700
815/639-9400 (Fax)
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