

**COPY**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

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JUN 14 2004

STATE OF ILLINOIS  
Pollution Control Board

VILLAGE OF ROBBINS and ALLIED  
WASTE TRANSPORTATION, INC.,

Petitioners,

vs.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

Case No. PCB No. 04-48

**PETITIONER'S MOTION FOR LEAVE TO FILE REPLY TO THE IEPA'S RESPONSE  
TO THE PETITIONERS' MOTION FOR SUMMARY JUDGMENT**

NOW COME the Petitioners, VILLAGE OF ROBBINS, ILLINOIS, and ALLIED WASTE TRANSPORTATION, INC., by and through undersigned counsel of record, and hereby respectfully request that this Board grant Petitioners leave to file Petitioners' Reply to the IEPA's Response to the Petitioners' Motion for Summary Judgment, attached hereto, and in support thereof, state as follows:

1. The Respondent, Illinois Environmental Protection Agency ("IEPA") has raised numerous issues in its Response to the Petitioners' Motion for Summary Judgment.

2. In order to prevent material prejudice, the Petitioners, Village of Robbins, Illinois, and Allied Waste Transportation, Inc., should be provided the opportunity to respond to the issues raised by the Respondent in its Response to the Petitioners' Motion for Summary Judgment.

3. Such a reply is proper and may be granted by this Board pursuant to section 101.500 of the Board Rules to prevent material prejudice.

WHEREFORE, the Petitioners, VILLAGE OF ROBBINS and ALLIED WASTE

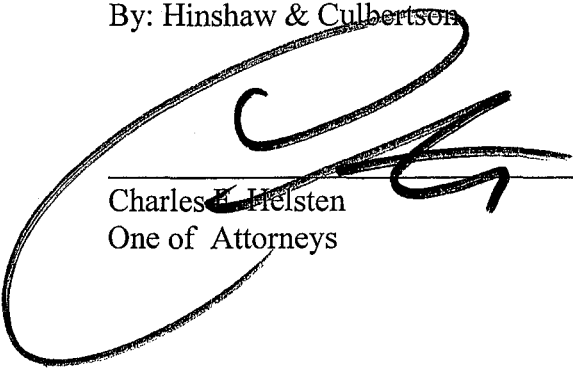
TRANSPORTATION, INC. request this Honorable Board grant its Motion for Leave to File its Reply to the IEPA's Response to the Petitioners' Motion for Summary Judgment, attached hereto.

Dated: June 11, 2004

Respectfully Submitted,

VILLAGE OF ROBBINS and ALLIED WASTE  
TRANSPORTATION, INC., Petitioners

By: Hinshaw & Culbertson



Charles E. Helsten  
One of Attorneys

HINSHAW AND CULBERTSON  
100 Park Avenue  
P.O. Box 1389  
Rockford, IL 61105-1389  
815-490-4900

**AFFIDAVIT OF SERVICE**

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on June 11, 2004, a copy of the foregoing was served upon:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

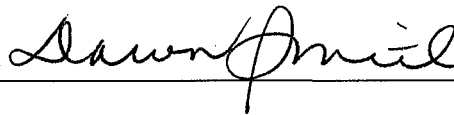
John J. Kim  
Renee Cipriano  
Special Assistant Attorney General  
Division of Legal Counsel  
1021 N. Grand Avenue, East  
Springfield, IL 62794-9276

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

Mr. William Mansker  
Village of Robbins  
3327 W. 137th Street  
Robbins, IL 60472

Steve Smith  
Allied Waste Transportation, Inc.  
13701 South Kostner  
Crestwood, IL 60445

By depositing a copy thereof, enclosed in an envelope in the United States Mail at Chicago, Illinois, proper postage prepaid, before the hour of 5:00 P.M., addressed as above.

  
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