

APR 12 2007

STATE OF ILLINOIS
Pollution Control Board

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April 12, 2007

VIA HAND DELIVERY

Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

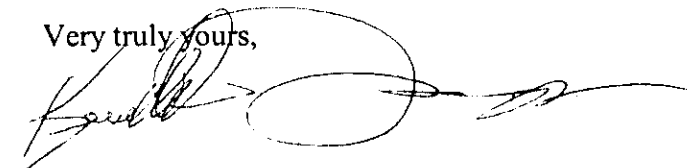
**Re: American Bottom Conservancy and Sierra Club Vs. City
of Madison, Illinois and Waste Management of Illinois, Inc.
PCB 07-84; Siting Appeal**

Dear Illinois Pollution Control Board:

Enclosed please find the original and four copies of the Record on Appeal containing all documents in the record and the transcript. Also enclosed is the original Certificate of Record on Appeal, Index of Documents and Affidavit of Service.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Kenneth P. Danzinger



John T. Papa,
Designated Counsel

J. Phillip Steinman
associate

Todd A. Neilson
associate

George Filcoff
of counsel

Philip J. Rarick
of counsel

John W. Halloran
(1962-1993)

KPD/lmk

Enc.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

APR 12 2007

STATE OF ILLINOIS
Pollution Control Board

AMERICAN BOTTOM CONSERVANCY)
AND SIERRA CLUB,)

Petitioner,)

vs.)

PCB No. 2007-084

(Siting Appeal)


CITY OF MADISON, ILLINOIS and)
WASTE MANAGEMENT OF)
ILLINOIS, INC.,)

Respondents.)

CERTIFICATE OF RECORD ON APPEAL

I, Sharon Cass, City Clerk, City of Madison, Illinois, do hereby certify that I have caused to be compiled a full and complete record of the proceedings before the City of Madison regarding an Application for Siting Approval for North Milam, An Expansion of the Milam Recycling and Disposal Facility filed by Waste Management of Illinois, Inc. with the City of Madison, Illinois. Said record, as described in the Index of Documents attached hereto and incorporated herein, is complete and contains all documents, transcripts, exhibits, public comments and application documents filed in connection with this matter.

Dated this 11th Day of April, 2007.



Sharon Cass, City Clerk
City of Madison, Illinois

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AMERICAN BOTTOM CONSERVANCY)
AND SIERRA CLUB,)
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Petitioner,)
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vs.) PCB No. 2007-084
) (Siting Appeal)
CITY OF MADISON, ILLINOIS and)
WASTE MANAGEMENT OF)
ILLINOIS, INC.,)
)
Respondents.)

INDEX OF DOCUMENTS

Record Pages

Description

Volume I

C 0001A - C 0011A City of Madison Ordinance No. 1670: "An Ordinance Establishing a Procedure For Approving New Pollution Control Facility Site Requests in the City of Madison, Illinois

C 0001 - C 0002 City of Madison Resolution No. 05-06:
"A Resolution to Adopt a Host Community Agreement"

C 0003 - C 0008 Host Community Agreement

C 0009 Notice of Application

C 0010 - C 0012 City of Madison City Council Meeting Minutes from 9/5/06

Volume II

C 0013 - C 0448 Application for Entry Approval for North Midland, Volume 1

Volume III

C 0449 - C 0951 Application for Entry Approval for North Midland, Volume 2

Volume IV

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| C 0952 - C 0954 | City of Madison City Council Meeting Minutes from 10/17/06 |
| C 0955 | City Attorney letter to Mayor of Madison, dated 10/31/06 |
| C 0956 - C 0961 | Notice of Public Hearing 11-22-06 |
| C 0962 - C 0965 | City of Madison City Council Meeting Minutes from 12/12/06 |
| C 0966 | Penny Livingston - Entry of Appearance for Waste Management |
| C 0967 | Don Moran - Entry of Appearance for Waste Management |
| C 0968 - C 0970 | Waste Management of Illinois, Inc., - List of proposed witnesses |
| C 0971 - C 0972 | Notice of Appearance - Jim Bensman - Piasa Palisades Group of the Sierra Club |
| C 0973 - C 1313 | Transcript of Public Hearings taken on 12/21/06, Volume I |

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| C 1402 - C 1406 | Curriculum Vitae of Andrew Limmer, P.G., Petitioner's #4 |
| C 1407 - C 1408 | Curriculum Vitae of Thomas E. Conner, P.E., Petitioner's #5 |
| C 1409 - C 1422 | Curriculum Vitae of Timothy D. Stark, Petitioner's #6 |
| C 1423 - C 1424 | Curriculum Vitae of Joseph A. Durako, Petitioner's #7 |
| C 1425 - C 1429 | Curriculum Vitae of Peter J. Poletti, Jr., Petitioner's #8 |
| C 1430 - C 1433 | Curriculum Vitae of Sheryl Smith, Petitioner's #9 |
| C 1434 - C 1435 | Curriculum Vitae of Michael Vail, Petitioner's #10 |
| C 1436 - C 1444 | American Bottoms Conservatory, ABC Exhibit #1 |

- C 1445 - C 1450 American Bottoms Conservatory, ABC Exhibit #2
- C 1451 Public Comment Sign-up Sheet
- C 1452 - C 1488 Transcript of Public Comment Session
- C 1489 - C 1535 Transcript of Public Hearing taken 12/22/06, Volume II
- C 1536 - C 1537 American Bottoms Conservatory, ABC Exhibit #3 - Madison County Transit 2006 Bikeway Map & Trail Guide
- C 1538 - C 1539 American Bottoms Conservatory, ABC Exhibit #4 - Horseshoe Lake State Park Brochure
- C 1540 - C 1543 American Bottoms Conservatory, ABC Exhibit #5 Group - Cahokia Mounds State Historic Site (Internet Pages)
- C 1544 - C 1545 American Bottoms Conservatory, ABC Exhibit 6 - Cahokia Mounds Brochure
- C 1546 - C 1547 American Bottoms Conservatory ABC Exhibit 7 - Cahokia Mound Brochure Illinois Historic Preservation Agency
- C 1548 - C 1549 Public Comment: Jack Norman - "Comment on North Midland Siting Petition"

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- C 1552 - C 1588 Applicant's Proposed Finding of Fact and Conclusions of Law
- C 1589 Public Comment: Letter from Sam Valenti
- C 1590 Public Comment: Letter from Thoma E. Conner, P.E., Hurst-Rosche Engineers, Inc.
- C 1591 - C 1928 Public Comment: Letter with attachments from Burns & McDonnell - Orval E. "Dan" Shinn

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- C 1929 - C 2068 Public Comment: Letter with attachments from Scott D. Harding of

SCI Engineering, Inc.

- C 2069 - C 2070 Public Comment: Letter from John E. Kelly of Powell Archaeological Research Center
- C 2071 - C 2073 Public Comment: Letter from Christine Favilla of Piasa Palisades Group of the Sierra Club
- C 2074 Public Comment: Letter from Gloria Iseminger of Cahokia Archaeological Society
- C 2075 - C 2076 Public Comment: Letter from Helen M. Hawkins
- C 2077 - C 2096 Public Comment: Letter from Kathia Audria - Comment 1 - Coroner's Report - American Bottom Conservancy, Sierra Club Kaskaskia Group
- C 2097 - C 2122 Public Comment: Letter from Kathia Audria - Comment 2 - Soil Survey
- C 2123 - C 2143 Public Comment: Letter from Kathia Audria - Comment 3 - Mountain Effect/Ground water Contamination
- C 2144 - C 2145 Public Comment: Rachel's Environmental & Health News #226 - Toxic Gases Emitted from Landfills (3/26/91)
- C 2146 - C 2149 Public Comment: Rachel's Environmental & Health News #617 Landfills are dangerous (9/23/98)
- C 2150 - C 2152 Public Comment: Frontier's Geo Sciences, Inc., Landfill Gas
- C 2153 - C 2155 Public Comment: St. Louis Post Dispatch: "Proposed landfill expansion runs afoul at Native American Activists," 1/18/07 Edition
- C 2156 - C 2175 Public Comment: Letter from Kathia Audria - Comment 4 - Final Comment
- C 2176 - C 2177 Public Comment: Letter from Dr. James M. Cervino

Volume VIII

- C 2178 - C 2217 Findings of Fact and Recommendation of Hearing Officer

- C 2218 Appendix I to Findings of Fact and Recommendation of Hearing Officer - List of Exhibits offered and admitted on behalf of Waste Management of Illinois, Inc.

- C 2219 Appendix II to Findings of Fact and Recommendation of Hearing Officer - List of Exhibits offered and admitted on behalf of opponents to the application

- C 2220 - C 2224 Appendix III to Findings of Fact and Recommendation of Hearing Officer - List of written comments submitted within 30 days of the Public Hearing

- C 2225 - C 2241 Memorandum from City of Madison City Attorney to Mayor and City Council

- C 2242 - C 2244 City of Madison City Council Meeting Minutes from 2/6/07

- C 2245 Letter from City of Madison Mayor, to Honorable Jerry Costello, U.S. Representative

- C 2246 - C 2247 Letter from City of Madison Mayor to Gloria Iseminger & John E. Kelly

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)
Respondents.)

AFFIDAVIT OF SERVICE

I hereby certify that copies of the Certificate of Record on Appeal and Index of Documents were served upon the following by enclosing same in separate envelopes and depositing said envelopes in the U.S. Mail in Granite City, Illinois, on the 12th day of April, 2007, before 5:00 p.m. with all fees thereon fully prepaid and addressed as follows:

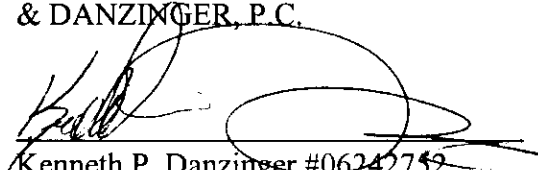
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By:



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