

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

vs.)

COMMUNITY LANDFILL COMPANY,)
INC.,)

Respondent.)

PCB No. 97-193
(Enforcement – Land)
(consolidated)

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

vs.)

EDWARD PRUIM and ROBERT PRUIM,)

Respondents.)

PCB No. 04-207
(Enforcement – Land)

NOTICE OF ELECTRONIC FILING

TO: Mr. Christopher Grant
Environmental Bureau
Assistant Attorney General
69 W. Washington, 18th Floor
Chicago, Illinois 60602
cgrant@atg.state.il.us

Mr. Bradley Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
hallorab@ipcb.state.il.us

PLEASE TAKE NOTICE that on **MAY 15, 2012**, the undersigned caused to be electronically filed with Mr. John Therriault, Clerk of the Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601, **RESPONDENTS COMMUNITY LANDFILL COMPANY, INC., ROBERT PRUIM AND EDWARD PRUIM'S MOTION FOR RECONSIDERATION OF THE BOARD'S ORDER DATED APRIL 5, 2012**, a copy of which is attached and hereby served upon you.

/s/ Mark A. LaRose
Mark A. LaRose, Attorney for Respondents

Mark A. LaRose
LaRose & Bosco, Ltd.
200 N. LaSalle Street, Suite 2810
Chicago IL 60601
(312) 642-4414
Atty. No. 37346

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
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)	(Enforcement – Land)
EDWARD PRUIM and ROBERT PRUIM,)	
)	
Respondents.)	

**COMMUNITY LANDFILL COMPANY, INC., ROBERT PRUIM
AND EDWARD PRUIM'S MOTION FOR RECONSIDERATION
OF THE BOARD'S ORDER DATED APRIL 5, 2012**

Respondents, Community Landfill Co., Inc., Robert Pruum and Edward Pruum, by and through their attorneys Mark A. LaRose of LaRose & Bosco, Ltd., pursuant to 35 Ill. Adm. Code 101.520(a) and 101.902, hereby move the Illinois Pollution Control Board to reconsider its Order dated April 5, 2012, and in support hereof, state as follows:

1. On April 5, 2012, pursuant to the Third District Appellate Court's mandate, the Illinois Pollution Control Board (hereinafter "Board") issued an Opinion and Order in this matter reassessing the penalty in its August 20, 2009 Order. The Board's April 5, 2012 Order is attached as Exhibit 1 to Community Landfill Co., Inc., Robert Pruum and Edward Pruum's Memorandum in Support of their Motion for Reconsideration of the Board's Order dated April 5,

2012 which is being filed contemporaneously with this Motion.

2. Respondents' Motion to Reconsider the Board's Order dated April 5, 2012 is timely filed pursuant to 35 Ill. Adm. Code 101.520(a), which allows a motion for reconsideration of an order by the Board to be filed 35 days after receipt of an order. The Order was received by Respondents' counsel, LaRose & Bosco, Ltd., on April 10, 2012. This motion is timely filed on May 15, 2012.

3. For the reasons set forth in their Memorandum in Support of Motion for Reconsideration, Respondents move the Board for reconsideration and seek a revised Order re-assessing the \$250,000 civil penalty as follows:

- \$100,000 to CLC for the nine counts adjudicated against CLC only (36 violations);

- \$100,000 to CLC severally for the eight counts adjudicated against CLC and the Pruims (10 violations);

- \$25,000 to Robert Pruim severally for the eight counts adjudicated against CLC and the Pruims (10 violations);

- \$25,000 to Edward Pruim severally for the eight counts adjudicated against CLC and the Pruims (10 violations);

and, for such other or different relief as the Board may order.

Respectfully submitted,

/s/ Mark A. LaRose

Mark A. LaRose

Attorney for Community Landfill Co.,

Robert Pruim and Edward Pruim

Mark A. LaRose
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CERTIFICATE OF SERVICE

I, Mark A. LaRose, an attorney, hereby certify that I caused to be served a copy of the foregoing **RESPONDENTS COMMUNITY LANDFILL COMPANY, INC., ROBERT PRUIM AND EDWARD PRUIM'S MOTION FOR RECONSIDERATION OF THE BOARD'S ORDER DATED APRIL 5, 2012**, by electronic filing, e-mailing, and by placing same in first-class postage prepaid envelopes and depositing same in the U.S. Mail Box located at 200 North LaSalle Street, Chicago, Illinois, this 15th day of May, 2012, addressed as follows:

By U.S. Mail and email

Christopher Grant
Environmental Bureau
Assistant Attorney General
69 W. Washington, 18th Floor
Chicago, Illinois 60602
cgrant@atg.state.il.us

By U.S. Mail and email

Bradley Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
hallorab@ipcb.state.il.us

/s/ Mark A. LaRose

One of Respondents' Attorneys

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