

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|-----------------------------|---|--|
| MARTIN MAGGIO, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. PCB 13-10 |
| |) | |
| COUNTY OF WINNEBAGO, |) | (Pollution Control Facility Siting Appeal) |
| WINNEBAGO COUNTY BOARD and |) | |
| WINNEBAGO LANDFILL COMPANY, |) | |
| LLC, |) | |
| |) | |
| Respondents. |) | |

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on September 21, 2012, the undersigned caused to be electronically filed with the Clerk of the Illinois Pollution Control Board the County of Winnebago and Winnebago County Board's **APPEARANCE** and **MOTION FOR EXTENSION OF TIME AND LEAVE TO FILE A REDUCED NUMBER OF COPIES OF THE RECORD** in the above-referenced matter, copies of which are attached hereto.

COUNTY OF WINNEBAGO and
WINNEBAGO COUNTY BOARD,

BY: /s/ David J. Kurlinkus
David J. Kurlinkus
Deputy State's Attorney

DAVID J. KURLINKUS
Deputy State's Attorney
Winnebago County State's Attorney's Office
Civil Bureau
400 West State Street, #804
Rockford, Illinois 61101
(815) 319-4799

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MOTION FOR EXTENSION OF TIME AND LEAVE TO FILE
A REDUCED NUMBER OF COPIES OF THE RECORD

NOW COME the Respondents, COUNTY OF WINNEBAGO and WINNEBAGO COUNTY BOARD, by and through their attorney, Deputy State's Attorney David J. Kurlinkus, and hereby move the Board or the Hearing Officer for an extension of time to file the record and for leave to file a reduced number of copies of the record of proceedings.

1. On August 23, 2012, the Illinois Pollution Control Board ("Board") issued an order accepting the petition of Martin Maggio for hearing.

2. That order also directed the County of Winnebago to file the record of proceedings within 21 days, or by September 13, 2012.

3. After telephonic status conferences on August 29, 2012, and September 6, 2012, an agreed order was entered extending the record due date to September 24, 2012.

4. The County has completed the required sequential numbering of the record of proceedings, which consists of a total of 8,738 pages.

5. In a landfill siting appeal, the Board's procedural rules require the local siting authority to file seven (7) copies of the transcript and one original and nine (9) copies of all other documents in the record with the Board. 35 Ill. Adm. Code 107.304(c).

6. Due to the fact that the record of proceedings is so voluminous, the County seeks leave to file one (1) original hard copy of the record along with one (1) electronic version of the record.

7. The County seeks an extension of time to file the record of proceedings to allow the Board or the Hearing Officer to consider the County's motion to file a reduced number of copies of the record.

WHEREFORE, the Respondents, COUNTY OF WINNEBAGO and the WINNEBAGO COUNTY BOARD, hereby move the Board or the Hearing Officer for an extension of time to file the record and for leave to file a reduced number of copies of the record of proceedings.

Respectfully submitted,

COUNTY OF WINNEBAGO and
WINNEBAGO COUNTY BOARD,

BY: /s/ David J. Kurlinkus

David J. Kurlinkus
Deputy State's Attorney

DAVID J. KURLINKUS
Deputy State's Attorney
Winnebago County State's Attorney's Office
Civil Bureau
400 West State Street, #804
Rockford, Illinois 61101
(815) 319-4799
ATTORNEY FOR RESPONDENTS

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APPEARANCE

NOW COMES Deputy State's Attorney David J. Kurlinkus, Winnebago County State's Attorney's Office, and hereby enters his Appearance in the above-captioned matter on behalf of the COUNTY OF WINNEBAGO and the WINNEBAGO COUNTY BOARD.

Dated: September 21, 2012

Respectfully submitted,

On behalf of the COUNTY OF
WINNEBAGO and WINNEBAGO
COUNTY BOARD,

BY: /s/ David J. Kurlinkus
David J. Kurlinkus
Deputy State's Attorney

DAVID J. KURLINKUS
Deputy State's Attorney
Winnebago County State's Attorney's Office
Civil Bureau
400 West State Street, #804
Rockford, Illinois 61101
(815) 319-4799

PROOF OF SERVICE

The undersigned hereby certifies that on September 21, 2012, she served the foregoing County of Winnebago and Winnebago County Board's APPEARANCE and MOTION FOR EXTENSION OF TIME AND LEAVE TO FILE A REDUCED NUMBER OF COPIES OF THE RECORD via email upon:

VIA EMAIL

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Hearing Officer

Illinois Pollution Control Board

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Chicago, IL 60601

/s/ Charlotte A. LeClercq

Charlotte A. LeClercq

Assistant Deputy State's Attorney