

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

TIMBER CREEK HOMES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB No. 14-99
)	(Pollution Control Facility
)	Siting Appeal)
VILLAGE OF ROUND LAKE PARK, ROUND)	
LAKE PARK VILLAGE BOARD and GROOT)	
INDUSTRIES, INC.,)	
)	
Respondents.)	

NOTICE OF FILING

PLEASE TAKE NOTICE that on March 31, 2014, there was filed electronically ANSWERS TO PETITIONER'S FIRST SET OF INTERROGATORIES TO GROOT INDUSTRIES, INC., a copy of which is hereby attached and served upon you.

Dated: March 31, 2014 Respectfully submitted,

On behalf of GROOT INDUSTRIES, INC.

/s/ Richard S. Porter

Richard S. Porter
One of Its Attorneys

Charles F. Helsten ARDC 6187258
Richard S. Porter ARDC 6209751
HINSHAW & CULBERTSON LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

TIMBER CREEK HOMES, INC.,)	
)	
Petitioner)	
)	
v.)	No. PCB 2014-099
)	
VILLAGE OF ROUND LAKE PARK,)	
ROUND LAKE PARK VILLAGE BOARD)	
and GROOT INDUSTRIES, INC.,)	(Pollution Control Facility Siting Appeal)
)	
Respondents)	

**ANSWERS TO PETITIONER'S FIRST SET OF INTERROGATORIES TO
GROOT INDUSTRIES, INC.**

Now comes Respondent, Groot Industries, Inc. ("Groot"), by and through its attorneys, HINSHAW & CULBERTSON LLP, and in answer to Petitioner, Timber Creek Homes, Inc.'s First Set of Interrogatories states as follows:

GENERAL OBJECTIONS: Groot objects to the Interrogatories, as set forth in its Objections to Petitioner's Discovery Requests, dated February 26, 2014. Groot specifically objects to these Interrogatories to the extent that they are overbroad and seek documents unrelated to the transfer station that is the subject of this proceeding. That objection was ruled upon and sustained in the Discovery Order of Hearing Officer Halloran ("Discovery Order") dated March 20, 2014. Pursuant to the Discovery Order, the time frame for which discovery could be requested by Petitioner commences on the date that Mr. Kleszynski was retained by the Village. The Village has indicated he was retained on June 20, 2013. Petitioner has limited its Interrogatories to the period ending June 21, 2013. Therefore, Groot's Answers are limited to the period from June 20, 2013, to June 21, 2013.

1. Identify all communications in verbal, written or electronic form made by Groot to any member of the Round Lake Park Village Board (the "RLP Board") relating to the subject of a waste transfer station in the Village of Round Lake Park.

ANSWER: Subject to and without waiving the objections set forth above, see attached e-mail from Peter Karlovics, attorney of RLP Board and Douglas Allen of CB&I, consultant of Groot dated June 20, 2013 and attachment thereto (Groot 000001 to 000003). See also e-mail from attorney for Groot, Charles F. Helsten, to Mr. Karlovics of the same date, attached hereto (Groot 000004 to 000005).

2. Identify all communications in verbal, written or electronic form made by or to the Village of Round Lake Park ("VRLP") relating to the subject of a waste transfer station in the Village of Round Lake Park.

ANSWER: Subject to and without waiving the objections set forth above, this interrogatory is vague and unanswerable as it fails to identify a declarant; subject to this objection and without waiving same, none for the time frame of June 20, 2013 to June 21, 2013 other than the communications identified in Answer to Interrogatory Number 1.

3. Identify all meetings, conversations, communications and contacts between Groot and any member of the RLP Board where the subject of a waste transfer station in the Village of Round Lake Park was discussed.

ANSWER: Subject to and without waiving the objections set forth above, none for the time frame of June 20, 2013 to June 21, 2013.

4. Identify all meetings, conversations, communications and contacts between any member of the RLP Board and any officer, agent, employee or representative of Groot Industries, Inc.

ANSWER: Subject to and without waiving the objections set forth above, none for the time frame of June 20, 2013 to June 21, 2013.

5. Identify all meetings, conversations, communications and contacts between any member of the RLP Board and Lee Brandsma.

ANSWER: Subject to and without waiving the objections set forth above, none for the time frame of June 20, 2013 to June 21, 2013.

6. Identify all meetings, conversations, communications and contacts between any member of the RLP Board and Larry Groot.

ANSWER: Subject to and without waiving the objections set forth above, none for the time frame of June 20, 2013 to June 21, 2013.

7. Identify all meetings, conversations, communications and contacts between any member of the RLP Board and Devin Moose.

ANSWER: Subject to and without waiving the objections set forth above, none for the time frame of June 20, 2013 to June 21, 2013.

8. Identify all meetings, conversations, communications and contacts between any member of the RLP Board and Chicago Bridge & Iron Company.

ANSWER: Subject to and without waiving the objections set forth above, see Groot 000001 to 000003 attached hereto.

9. Identify all meetings, conversations, communications and contacts between any member of the RLP Board and Shaw Environmental, Inc.

ANSWER: Subject to and without waiving the objections set forth above, see Groot 000001 to 000003 attached hereto.

Dated: March 31, 2014

Respectfully submitted,

On behalf of GROOT INDUSTRIES, INC.

/s/ Richard S. Porter

Richard S. Porter
One of Its Attorneys

Charles F. Helsten ARDC 6187258
Richard S. Porter ARDC 6209751
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815-490-4900

From: Peter Karlovics [mailto:pkarlovics@aol.com]
Sent: Thursday, June 20, 2013 1:08 PM
To: Allen, Douglas
Subject: Re: Groot Application

Dear Doug:

Please let me know if you do not have an attachment to this email.

Attached is the checklist we will be using.

The Law Offices of

Rudolph F. Magna

Peter S. Karlovics

495 N. Riverside, Suite 201

Gurnee, Illinois 60031

Office: (847) 623-5277 Facsimile: (847) 623-5336

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—Original Message—

From: Allen, Douglas <Douglas.Allen@cbl.com>

To: Peter Karlovics <pkarlovics@aol.com>; chelsten <chelsten@hinshawlaw.com>

Sent: Thu, Jun 20, 2013 7:47 am

Subject: RE: Groot Application

Pete:

There is no attachment with this email. I have attached the checklist we utilized for the previous aborted filing attempt last November. I assume the one you meant to tender was the same.

-Doug

From: Peter Karlovics [<mailto:pkarlovics@aol.com>]
Sent: Wednesday, June 19, 2013 6:04 PM
To: Allen, Douglas; chelsten@hinshawlaw.com
Subject: Groot Application

Dear Doug:

Attached is a checklist the Village will be using to determine whether Groot has filed all of the required materials in its application. Please review it with Chuck Helsten to ensure that you have all of the documents in your application.

If I am missing something, please let me know.
The Law Offices of

Rudolph F. Magna

Peter S. Karlovics

495 N. Riverside, Suite 201

Gurnee, Illinois 60031

Office: (847) 623-5277 Facsimile: (847) 623-5336

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Checklist for Groot WT Application (00026629).DOCX

Village of Round Lake Park

Filing Checklist
Groot Industries Waste Transfer Station Application
June 21, 2013

- Accept Application for filing.
- Ensure that twenty (20) complete copies of application are provided.
- Ensure that each copy of the application contains:
 - copies of all site plans
 - copies of exhibits
 - copies of maps
 - copies of host agreement and first amendment to host agreement
 - a searchable digital copy of the application on CDs or DVDs in portable document format (pdf)
 - only three (3) hard copies of large-scale engineering drawings** are required to be filed, *provided that 11x17 paper drawings and digital copies have been filed.*
 - only one (1) hard copy of documents submitted to IEPA** need be filed, *so long as digital copies of said documents are included on each searchable digital copy of the application on CDs or DVDs in portable document format (pdf)*
 - Escrow Check for \$100,000
- Date Stamp filed application.
- Note number of pages of Application filed.
- Designate one signed original of application as pristine copy (do not touch).
- Designate two signed originals for inspection and copying.
- Distribute copies of application to each member of the Village Board, the Mayor and to the Attorneys for the Village.
- Make sure a copy of the application and public record concerning the application for public inspection is available **at all times** during the normal business hours of the Village Hall.

Re: Meeting with Derke Price (Groot Waste Transfer Hearing) 

Charles F. Helsten to: Peter Karlovics

06/20/2013 02:34 PM

Cc: dprice, glenn, seclaw

CONFIDENTIAL AND PRIVILEGED

I am available on July 8 to meet to discuss procedural matters going forward.

Charles F. Helsten
HINSHAW & CULBERTSON LLP
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389

Phone: 815-490-4906
Fax: 815-490-4901
chelsten@hinshawlaw.com

Peter Karlovics

Dear Glenn and Chuck: Derke Price is available...

06/20/2013 02:20:08 PM

From: Peter Karlovics <pkarlovics@aol.com>
To: glenn@sechenlawgroup.com, seclaw@yahoo.com, chelsten@hinshawlaw.com,
dprice@ancelglink.com,
Date: 06/20/2013 02:20 PM
Subject: Meeting with Derke Price (Groot Waste Transfer Hearing)

Dear Glenn and Chuck:

Derke Price is available on either July 8 or 9, 2013 for purposes of meeting with the parties. Are you available on either date? Please let me know today, so I can lock this down with Derke.

The Law Offices of

Rudolph F. Magna

Peter S. Karlovics

495 N. Riverside, Suite 201

Gurnee, Illinois 60031

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AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

The undersigned certifies that on **March 31, 2014**, a copy of the foregoing **Notice of Filing Answers to Petitioner's First Set of Interrogatories to Groot Industries, Inc.** was served upon the following:

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by e-mailing a copy thereof as addressed above.



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