

AUG 10 2016

No. \_\_\_\_\_

STATE OF ILLINOIS  
Pollution Control Board

IN THE  
APPELLATE COURT OF ILLINOIS  
THIRD JUDICIAL DISTRICT

WILL COUNTY,

*Petitioner,*

v.

VILLAGE OF ROCKDALE; BOARD OF  
TRUSTEES OF VILLAGE OF ROCKDALE;  
ENVIRONMENTAL RECYCLING AND  
DISPOSAL SERVICES, INC.; WASTE  
MANAGEMENT OF ILLINOIS, INC.;  
ILLINOIS POLLUTION CONTROL BOARD;  
GERALD KEENAN, in his Capacity as the  
Chairman of the Board of Directors of the  
ILLINOIS POLLUTION CONTROL BOARD;  
and DR. DEANNA GLOSSER, in her Capacity  
as a Member of the Board of Directors of the  
ILLINOIS POLLUTION CONTROL BOARD;

*Respondents.*

) Petition for Review  
) of the Order of the  
) Illinois Pollution  
) Control Board,

) Docket Nos.: PCB 16-54,  
) PCB 16-56

**PETITION FOR REVIEW**

Petitioner Will County ("Petitioner" or "County") hereby petitions the Illinois Appellate Court, Third District, for review of the April 21, 2016, Order of the Illinois Pollution Control Board ("Board"), in which it affirmed the decision of the Village of Rockdale ("Village") approving the siting of a waste transfer station within county limits, and its July 7, 2016, Order denying Will County's timely motion for reconsideration of the April 21, 2016, Order.

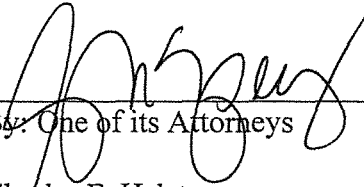
Among other things, Petitioner contends that the jurisdictional requirements of Section 39.2(b) of the Environmental Protection Act (the "Act") (415 ILCS 5/39.2 (b)) were not met due to deficiencies in how the applicant's pre-filing notice described for the public the volume of

waste the proposed transfer station would process. Petitioner also contends that the Village only “conditionally” approved the proposed siting and did not provide the final approval required by Section 39.2 of the Act. Finally, Petitioner contends that the Village’s determination that criteria (i), (ii), and (v) of Section 39.2(a) were met was against the manifest weight of the evidence.

Petitioner asks that this Court reverse the Board’s Orders outright, or reverse and remand with directions to deny the applicant’s siting application, or reverse and remand with instructions, or grant such other and further relief as may be warranted by the record and the law.

Respectfully submitted,

WILL COUNTY, Petitioner



By: One of its Attorneys

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NOTICE OF FILING

Please take notice that on August 8, 2016, we will have caused to be filed by U.S. Mail with the Clerk of the Appellate Court of Illinois, Third Judicial District, the **Petition for Review** of Petitioner Will County, a copy of which is hereby served upon you.

  
\_\_\_\_\_  
*One of Petitioner's Attorneys*  
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STATE OF ILLINOIS        )  
                                  ) SS  
COUNTY OF COOK        )

**AFFIDAVIT OF MAILING AND PROOF OF SERVICE**

The undersigned deposes and states on oath that on August 8, 2016, she will have caused to be filed by U.S. Mail at or before 5:00 p.m. the foregoing petition for review of Petitioner Will County by depositing the same in the U.S. Mail at 222 N. LaSalle Street, Chicago, IL 60601, enclosed in a sealed envelope with First Class postage fully prepaid, addressed to:

Barbara Trumbo, Clerk  
Appellate Court of Illinois for the Third District  
1004 Columbus Street  
Ottawa, Illinois 61350

The undersigned further states that on August 8, 2016, at or before 5:00 p.m., she will have caused to be served a copy of the same by depositing it in the U.S. Mail at 222 N. LaSalle Street, Chicago, Illinois 60601, enclosed in a sealed envelope with First Class postage fully prepaid, addressed to all attorneys on the attached service list.

A DeBernardis

SUBSCRIBED and SWORN to  
before me on August 8, 2016.  
Dorothy Gaicki  
Notary Public



## SERVICE LIST

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