

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEORIA DISPOSAL COMPANY,

Petitioner,

v.

PEORIA COUNTY BOARD,

Respondent.

PCB 06-184

(Pollution Control Facility Siting Appeal)

RECEIVED
CLERK'S OFFICE

NOV 20 2006

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT OF SERVICE

The undersigned, being first duly sworn upon oath, states that copies of the Affidavit of Brian J. Meginnes, was served upon the following persons by enclosing same in separate envelopes, addressed as follows, and depositing said envelopes in a U.S. Postal Service mail box at Peoria, Illinois, on the 17th day of November, 2006, before 5:00 p.m., with all fees thereon fully prepaid and addressed as follows:

Mr. William Atkins
Assistant State's Attorney
Peoria County
324 Main Street, Room #111
Peoria, IL 61602

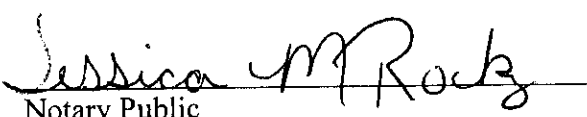
Ms. Carol Webb, Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P. O. Box 19274
Springfield, IL 62794-9274

Mr. David A. Brown
Black, Black & Brown
Attorneys at Law
101 South Main Street
P. O. Box 381
Morton, IL 61550


Brian J. Meginnes, Esq.

Subscribed and sworn to before me, a Notary Public, in the County and State as aforesaid, this 17th day of November, 2006.

OFFICIAL SEAL
JESSICA M ROCKEY
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 06-13-07


Notary Public

George Mueller
GEORGE MUELLER, P.C.
Attorney at Law
628 Columbus Street, Suite #204
Ottawa, Illinois 61350
(815) 431-1500 - Telephone
(815) 431-1501 - Facsimile

Brian J. Meginnes
ELIAS, MEGINNES, RIFFLE & SEGHELLI, P.C.
Attorneys at Law
416 Main Street, Suite #1400
Peoria, IL 61602-1153
(309) 637-6000 - Telephone
(309) 637-8514 - Facsimile

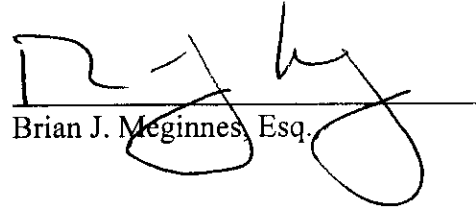
RECEIVED
CLERK'S OFFICE

NOV 20 2006

AFFIDAVIT OF FILING

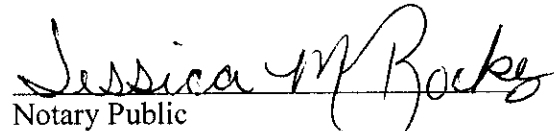
STATE OF ILLINOIS
Pollution Control Board

The undersigned, being first duly sworn upon oath, states that two (2) copies of the Affidavit of Brian J. Meginnes, was filed with the Illinois Pollution Control Board via U.S. Mail, on the 17th day of November, 2006, sent before 5:00 p.m.


Brian J. Meginnes, Esq.

Subscribed and sworn to before me, a Notary Public, in the Peoria County, Illinois, this 17th day of November, 2006.




Notary Public

RECEIVED
CLERK'S OFFICE

NOV 20 2006

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT OF BRIAN J. MEGINNES

STATE OF ILLINOIS)
)
COUNTY OF PEORIA) ss.

Brian J. Meginnes, having been first been duly sworn upon his oath, deposes and states as follows:

1. My name is Brian J. Meginnes. I am one of the attorneys representing the Peoria Disposal Company ("PDC") in their Application for Site Location Approval filed with the Peoria County Clerk on November 9, 2006 (the "Application").

2. When the Application was filed, the Peoria County Clerk established a system for housing the Record pertaining to the Application.

3. The Record was placed in the office of Megan Fulara, a Deputy Clerk with the Peoria County Clerk's office.

4. All documents filed pertaining to the Application were to be file-stamped by Megan Fulara and placed in the Record by Megan Fulara.

5. On June 7, 2006, I went to the Office of the Peoria County Clerk, and asked to view the Record.

6. Megan Fulara met me at the front desk and lead me to her office.

7. Megan Fulara pointed out five boxes of written material, which she identified as the Record.

8. I reviewed the Record and determined that the transcript from the meeting of the Peoria County Board on May 3, 2006, was not in the Record.

9. Megan Fulara confirmed that the transcript from the meeting of the Peoria County Board on May 3, 2006, had not been placed in the Record.

10. I reviewed the Record and determined that the Agenda pertaining to the meeting of the Peoria County Board on May 3, 2006, was not in the Record.

11. Megan Fulara confirmed that the Agenda pertaining to the meeting of the Peoria County Board on May 3, 2006, had not been placed in the Record.

12. I reviewed the Record and determined that the "yellow sheets" pertaining to the Application referenced at the meeting of the Peoria County Board on May 3, 2006, was not in the Record.

13. Megan Fulara confirmed that the "yellow sheets" pertaining to the Application referenced at the meeting of the Peoria County Board on May 3, 2006, had not been placed in the Record.

14. In my presence, Megan Fulara phoned Karen Raithel, the Peoria County Solid Waste and Recycling Director and confirmed on the phone with Karen Raithel that the County did not file the transcript from the meeting of the Peoria County Board on May 3, 2006, the Agenda pertaining to the meeting of the Peoria County Board on May 3, 2006, or the "yellow sheets" pertaining to the Application referenced at the meeting of the Peoria County Board on May 3, 2006, in the Record.

15. I am an adult and if called upon to testify in this matter, I could competently testify to the facts stated herein.

FURTHER AFFIANT SAYETH NOT.

Subscribed and sworn to before me
this 9th day of June, 2006.

Vicki S. Parr

Notary Public

906-0784



Brian J. Meginnis
Brian J. Meginnis Esq.