



JOHN B. ROE
STATE'S ATTORNEY OF OGLE COUNTY
106 S. 5th St. Suite 110
OREGON, ILLINOIS 61061

RECEIVED
CLERK'S OFFICE

MAY 14 2007

STATE OF ILLINOIS
Pollution Control Board

Email: oglesa@oglecounty.org
www.oglecounty.org

ORIGINAL

Telephone: (815) 732-1170
Fax: (815) 732-6607

May 10, 2007

Ms. Dorothy M. Gunn, Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Re: Administrative Citation
AC# 07-056
Facility: Davis Junction Landfill
IEPA-LPC Site #: 1418210001
Inspection Date: February 28, 2007

Dear Clerk of the Board:

Enclosed for filing with the Board is paperwork showing proof of service on BFI Waste Systems of North America, Inc. The Respondent was served via certified mail on April 30, 2007 and by personal service on April 30, 2007. Personal service was also attempted on April 27, 2007, April 28, 2007, and April 29, 2007.

I am also enclosing ten (10) additional copies of the previously mentioned paperwork. Please stamp a copy of these materials as "filed" and return that copy to our Office. A self-addressed stamped envelope is enclosed for your convenience.

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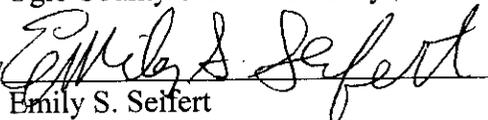
Telephone: (815) 732-1170
Fax: (815) 732-6607

Email: ogleasa@oglecounty.org
www.oglecounty.org

Thank you for your assistance and kind attention to this matter.

Sincerely,

John B. Roe
Ogle County State's Attorney

By 
Emily S. Seifert
Assistant State's Attorney
Ogle County State's Attorney's Office
106 S. 5th Street, Suite 110
Oregon, Illinois 61061

Please note: With the exception of letterhead, all other documents are printed on recycled paper

Enclosures

CC: IEPA Rockford
IEPA Springfield
OCSWMD File
Ogle County State's Attorney

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STATE OF ILLINOIS
Pollution Control Board

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BFI Waste Systems of
North America, Inc.
Mr. J.M. Hitzeroth, Environmental
manager
26W580 Schick Road
Hanover Park, IL 60163

2. Article Number
(Transfer from service label)

7003 3110 0001 9352 1897

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Roger E Abel* Agent
 Addressee

B. Received by (Printed Name)
Roger E Abel

C. Date of Delivery
4-30

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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STATE OF ILLINOIS
Pollution Control Board

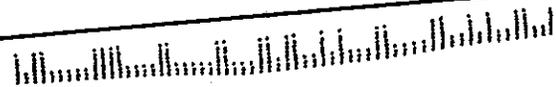
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

JOHN B. ROE
Ogle County **States Attorney**
106 South Fifth Street, Suite 110
Oregon, IL 61061



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MAY 14 2007

Stewart and Associates, Inc.

AFFIDAVIT OF PROCESS SERVER

Case Number: AC 07 -

County of Ogle vs BFI Waste Systems of North America Inc.

STATE OF ILLINOIS
Pollution Control Board

Person Served: BFI Waste Systems of North America Inc.

Address: Attn: Mr. Jim Hitzeroth, Environmental Manager 26W580 Schick Road

ORIGINAL

City/State/Zip: Hanover Park, IL 60163

I, Larry Biela, as agent for Brian W. Stewart & Associates, Inc. an Illinois Private Detective Agency License #117-000540, after being duly sworn, do hereby state that the attached document(s) entitled: **Transmittal Letter to IL Pollution Control Board, Notice of Filing, Entry of Appearance, Administrative Citation, Informal Notice, Remittance Form, Inspector's Affidavit, Inspection Report Form W/ Attachments, Notice of Corrective Action, Proof of Service** was served as indicated.

SERVICE INFORMATION:

Service Address (if different than above): _____

____ Personal Service: Left copy of the document(s) with above personally.

Date ___/___/___ Time: _____

Date Of Birth: _____ Sex: M F Race: _____ Height: _____ Weight: _____ Hair: _____

____ Substitute Service: Left copy of the document(s) at the defendant's usual place of abode with some person of the age of 13 years or upwards and informed that person of the contents thereof. Service was followed by sending a copy of the document(s) in a sealed envelope with postage fully prepaid addressed to the defendant at his/her usual place of abode.

Name: _____ Relation: _____ (live-in)

Date ___/___/___ Time: _____

Date Of Birth: _____ Sex: M F Race: _____ Height: _____ Weight: _____ Hair: _____

Date copy mailed ___/___/___

Service on: Corporation Company _____ Business _____ Other _____

Left a copy of the document(s) with the following:
Registered Agent Officer _____ Owner _____ Authorized Person _____ Cert. Mail _____

Name: JIM HIZEROOTH Title: Registered Agent

Date 4/30/07 Time: 2:22 PM

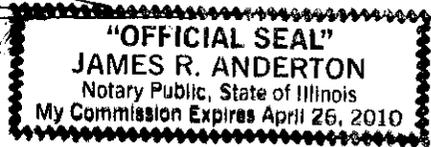
Age 40 Date Of Birth: _____ Sex: M F Race: W Height: _____ Weight: Med Hair: Brown

subject sealed at desk
unable to determine intent

Subscribed and sworn before me
this 4 day of May, 2007

[Signature]
Notary Public

as agent for
Brian W. Stewart & Associates, Inc.
Fee: \$ 165.00
Our Job #: 56019



Received Fax: Apr 27 2007 9:25AM Fax Station: STEWART & ASSOCIATES INC.

APR-27-2007 08:22 FROM:OGLE COUNTY STATES A B157321170

TD:18152351290

P:3/43

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

RECEIVED
CLERK'S OFFICE

MAY 14 2007

ORIGINAL

STATE OF ILLINOIS
Pollution Control Board

County of Ogle)
)
Complainant,)
)
v.) AC 07-
) (Administrative Citation)
BFI Waste Systems of North America,)
Inc.,)
Respondent.)

PROOF OF SERVICE

The undersigned, under oath, states that a copy of the TRANSMITTAL LETTER TO THE ILLINOIS POLLUTION CONTROL BOARD, NOTICE OF FILING, ENTRY OF APPEARANCE, ADMINISTRATIVE CITATION, INFORMATIONAL NOTICE, REMITTANCE FORM, INSPECTOR'S AFFIDAVIT, INSPECTION REPORT FORM WITH ATTACHMENTS, NOTICE OF CORRECTIVE ACTION, & PROOF OF SERVICE on the above-captioned matter was personally served by handing a copy of the above to:

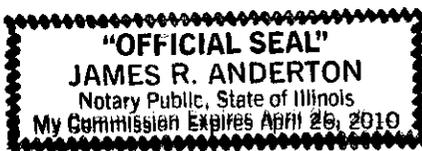
_____, a person authorized to accept service on behalf of

BFI Waste Systems of North America, Inc., on April 30, 2007, at
26W580 Schick Rd, Hanover Park IL 60133.
(Address)

By: _____
Signature
Print Name: _____
Process Server

Subscribed and sworn to before me
this 4 day of Aug, 2007

Notary Public



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MAY 14 2007

ClientCaseID: 56019
Law Firm ID: STEWART



CaseReturnDate: 5/2/07
STATE OF ILLINOIS
Pollution Control Board
Affidavit of Special Process Server

ILLINOIS POLLUTION CONTROL BOARD

Case Number **AC07**

I, **LARRY E. BIELA**

FIRST DULY SWORN ON OATH STATES THAT I AM OVER 18 YEARS OF AGE AND NOT A PARTY TO THIS SUIT AND IS A REGISTERED EMPLOYEE OF ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION PRIVATE DETECTIVE AGENCY #117-001292 STERN PROCESS & INVESTIGATION LLC 205 W. RANDOLPH ST. #1210 CHICAGO IL 60606

NON-SERVICE

DEFENDANT NAME **BFI WASTE SYSTEMS OF NORTH AMERICA INC.**

I HAVE ATTEMPTED TO SERVE **LETTER**

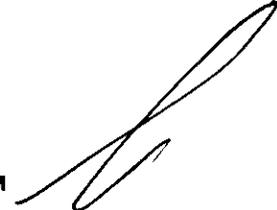
ON THE DEFENDANT ON THIS CAUSE AND HAVE BEEN UNABLE TO SERVE BECAUSE:

ATTEMPTED SERVICE ON: 4/28/07 @3:11PM - I SPOKE TO MRS. HIZEROTH (40, FEMALE, WHITE, 5'5", MEDIUM BUILD, BROWN HAIR) WHO STATED THAT HER HUSBAND (THE DEFENDANT) IS IN WISCONSIN AT UPPER ROCK FACILITY AND HE MAY BE UP THERE ALL WEEKEND FISHING, BUT SHE DOES NOT KNOW FOR SURE; 4/28/07 @ 8:20PM - NO ONE HOME; 4/29/07 @ 7AM - NO ONE HOME. UNABLE TO SERVE .

LOCATION OF SERVICE **64 WILCOX
ELGIN, IL, 60123**

Date Of Service **4/29/07**

Time of Service **7:00 AM**


LARRY E. BIELA
Special Process Server
P.E.R.C.#129-215788

5/3/2007

Under penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statement are true and correct, except as to matters therein stated to be on information and belief and such matters the undersigned certifies as aforesaid that he/she verily believes same to be true.