

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 04-207
)	(Enforcement – Land)
EDWARD PRUIM and ROBERT PRUIM,)	
)	
Respondents.)	

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 97-193
)	(Enforcement – Land)
)	(Consolidated)
COMMUNITY LANDFILL COMPANY, INC.,)	
)	
Respondent.)	

To: (VIA ELECTRONIC FILING)

Clarissa Y. Cutler
Attorney at Law
155 North Michigan Avenue, Suite 375
Chicago Illinois 60601

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601

NOTICE OF FILING

PLEASE TAKE NOTICE that we have today, November 14, 2008, filed with the Office of the Clerk of the Illinois Pollution Control Board, by electronic filing, Complainant's Witness and Exhibit List.

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
Attorney General of the State of Illinois

By: Jennifer A. Van Wie
JENNIFER A. VAN WIE
CHRISTOPHER GRANT
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
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Complainant,)
)
v.) PCB 04-207
) (Enforcement – Land)
EDWARD PRUIM and ROBERT PRUIM,)
)
Respondents.)

PEOPLE OF THE STATE OF ILLINOIS,)
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Complainant,)
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v.) PCB 97-193
) (Enforcement – Land)
) (Consolidated)
COMMUNITY LANDFILL COMPANY, INC.,)
)
Respondent.)

COMPLAINANT'S WITNESS AND EXHIBIT LISTS

Complainant's Witnesses

1. Warren Weritz, IEPA
2. Tina Kovasznay, IEPA
3. Christine Roque, IEPA
4. Ellen Robinson, IEPA
5. Blake Harris, IEPA
6. Gary Styzens, IEPA
7. Robert Pruum
8. Edward Pruum
9. James Pelnarsh
10. John Enger, City of Morris

Complainant's Exhibits

- * **By agreement of the parties, deposition transcripts, their exhibits, and pleadings will not be reproduced.** *
1. All permit applications, whether original, supplemental, or requesting a significant modification, and the addendum thereto submitted by CLC to the Illinois EPA from 1989 through 2000.
 - a. Application for Supplemental Permit to Modify Site Development at the Morris Community Landfill dated January 5, 1989, Log Number 1989-005.
 - b. "Final Conditions – Parcel B, Drawing Number 83-119VEA", included in an addendum to the "Application for 1989 Supplement Permit". The addendum is dated May 10, 1989.
 - c. "Biennial Review of the Closure Plan, Post-Closure Care Plan and Cost Estimates for the Morris Community Landfill", Log Number 1993-066, dated received February 8, 1993.
 - d. Application for Supplemental Permit, Log Number 1996-240, dated received on July 26, 1996, including correspondence from Michael McDermont dated October 21, 1996 and "Revisions to the Closure Plan, Post-Closure Plan and Cost Estimates for the Morris Community Landfill" dated October 1996.
 - e. Application for Significant Modification Permit, Log Number 1996-256, dated received on August 5, 1996 and "Attachment 4, Reduced Site Developmental Plan Drawings".
 - f. Addendum to the Application for Significant Modification to Permit, Morris Community Landfill – Parcel B, dated April 30, 1997.
 2. All Illinois EPA permits granted to CLC and the City of Morris from 1989 to the present for the Morris Community Landfill.
 - a. Supplemental Permit, 1989-005-SP, dated June 5, 1989.
 - b. Supplemental Permit, 1993-066-SP, dated April 20, 1993
 - c. Supplemental Permit, 1996-240-SP, dated October 24, 1996.
 3. Irrevocable Standby Letter of Credit No. 486, First Midwest Bank, dated March 12, 1991.

4. Amendment to Irrevocable Standby Letter of Credit No. 486, First Midwest Bank, dated May 22, 1992.
5. Trust Agreement Number 1010-00210-6, First Midwest Trust Company, dated April 23, 1991.
6. "Investment Review for the Account of Community Landfill Company", First Midwest Trust Company, December 31, 1992.
7. "Investment Review for the Account of Community Landfill Company", First Midwest Trust Company, December 31, 1994.
8. Letter from First Midwest Bank to Illinois EPA, dated May 19, 1995.
9. Letter from Mark LaRose to John Taylor, Illinois EPA, dated June 19, 1996.
10. Letter from Hope Wright, Illinois EPA, to Judith Holmes, First Midwest Trust Company, dated July 1, 1996.
11. Letter from R. Michael McDermont, P.E. to Blake Harris, Illinois EPA, dated September 1, 1999.
12. Continuation Certificate for Bond No. 91507, Frontier Insurance Company, dated May 31, 2000.
13. Illinois EPA field inspection reports for the following inspection dates:

* color photos reproduced if available *

- a. August 18, 1993;
- b. April 7, 1994;
- c. May 26, 1994;
- d. August 29, 1994 – pgs. 1 and 4, narrative, map and 3 photos;
- e. March 22, 1995;
- f. May 22, 1995;
- g. November 7, 1995 – pgs. 1 and 4, narrative, map and 6 photos;
- h. July 11, 1996;
- i. March 5, 1997;
- j. July 28, 1998;
- k. November 19, 1998;
- l. March 31, 1999;
- m. May 11, 1999;
- n. July 20, 1999;
- o. September 7, 1999; and

14. Landfill Capacity Certification Forms submitted by or on behalf of CLC and the City of Morris on or around the following dates:
 - a. April 1, 1989;
 - b. April 1, 1990;
 - c. April 19, 1993;
 - d. January 18, 1995;
 - e. January 15, 1996;
 - f. February 7, 1997;
 - g. January 16, 1998;
 - h. February 2, 1999;
 - i. March 3, 2000
 - j. June 8, 2001;
 - k. May 23, 2002; and
 - l. May 1, 2003.

15. All discovery responses and documents produced by CLC in response to discovery requests issued by the Complainant.
 - a. Respondent Community Landfill Company's Answer to First Set of Interrogatories;
 - b. Respondent Community Landfill Company's Answer to Request for Admission of Facts;
 - c. Respondent Community Landfill Company's Answer to Request for Production of Documents; and
 - d. Respondent's Answers to Complainant's Second Set of Interrogatories.

16. Deposition transcripts for the following persons:
 - a. Edward Pruim
 - b. Robert Pruim
 - c. James Pelnarsh, Sr.

17. Expert Report prepared by Gary Styzens, Illinois EPA, dated August 26, 2008, including attachments.

18. "Morris Community Landfill - Economic Benefit Calculation", prepared by Christine Roque, dated January 21, 2003.

19. "Financial Assurance (Economic Benefit from Non-Compliance)".

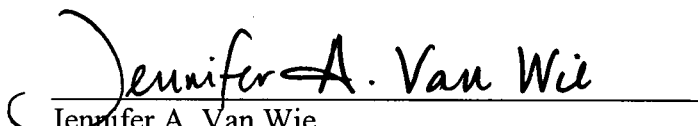
20. U.S. Income Tax Returns, and all schedules attached thereto, submitted for CLC for the calendar years 1993 through 1996.
 - a. U.S. Corporation Income Tax Return, 1993
 - b. U.S. Corporation Income Tax Return, 1994

- c. U.S. Income Tax Return for an S Corporation, 1995
- d. U.S. Income Tax Return for an S Corporation, 1996
- e. U.S. Income Tax Return for an S Corporation, 1997
- f. U.S. Income Tax Return for an S Corporation, 1998
- g. U.S. Income Tax Return for an S Corporation, 1999

- 21. LPC-PA15 Notice to Illinois EPA from R. Michael McDermont dated March 18, 1991.
- 22. Survey plats for Parcels A and B of the Morris Community Landfill.
- 23. Affidavit of Blake Harris dated September 26, 2001.
- 24. Affidavit of R. Michael McDermont dated February 27, 2002.
- 25. Affidavit of James Pelnarsh dated March 1, 2002.
- 26. City of Morris / Community Landfill Co. Summary of Tickets, January 1994 through December 1994.

CERTIFICATE OF SERVICE

I, JENNIFER A. VAN WIE, an Assistant Attorney General, do certify that I caused to be served this 14th day of November, 2008, the foregoing Notice of Filing and Witness and Exhibit List, upon the persons listed on said Notice via facsimile and electronic mail.


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