

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
vs.	)	PCB No. 04-207
	)	(Enforcement – Land)
EDWARD PRUIM and ROBERT PRUIM,	)	
	)	
Respondents.	)	

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
vs.	)	PCB No. 97-193
	)	(Enforcement – Land)
COMMUNITY LANDFILL COMPANY,	)	(consolidated)
INC.,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Christopher Grant	Bradley Halloran
Jennifer Van Wie	Hearing Officer
Environmental Bureau	Illinois Pollution Control Board
Assistant Attorney General	100 West Randolph, Suite 11-500
69 W. Washington, 18th Floor	Chicago, Illinois 60601
Chicago, Illinois 60602	<a href="mailto:hallorab@ipcb.state.il.us">hallorab@ipcb.state.il.us</a>
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**PLEASE TAKE NOTICE** that on **NOVEMBER 17, 2008**, the undersigned caused to be electronically filed with Mr. John Therriault, of the Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601, the **RESPONDENTS COMMUNITY LANDFILL COMPANY, INC. AND EDWARD PRUIM AND ROBERT PRUIMS' LIST OF WITNESSES AND EXHIBITS FOR HEARING ON DECEMBER 2-5, 2008**, a copy of which is attached and hereby served upon you.

/s/ Clarissa Y. Cutler  
One of Respondents' Attorneys

Mark A. LaRose  
LaRose & Bosco, Ltd.  
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Chicago IL 60601  
(312) 642-4414  
Atty. No. 37346

Clarissa Y. Cutler (f/k/a Grayson)  
Attorney at Law (formerly with LaRose & Bosco, Ltd.)  
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(312) 729-5067  
Atty No. 44745

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**RESPONDENTS COMMUNITY LANDFILL COMPANY, INC. AND**  
**EDWARD PRUIM AND ROBERT PRUIMS'**  
**LIST OF WITNESSES AND EXHIBITS FOR HEARING ON DECEMBER 2-5, 2008**

Respondents COMMUNITY LANDFILL COMPANY, INC., EDWARD PRUIM and ROBERT PRUIM, by and through their attorneys Mark A. LaRose of LaRose & Bosco, Ltd. and Clarissa Y. Cutler, hereby file Respondents Community Landfill Company, Inc. and Edward Pruum and Robert Pruims' List of Witnesses and Exhibits for Hearing on December 2-5, 2008, as follows:

**A. Respondents' Witnesses**

Respondents may call any of the following individuals as witnesses:

1. Jim Pelnarsh

2. Edward Pruum
3. Robert Pruum
4. R. Michael McDermont

In addition, Respondents reserve the right to call any of Complainant's witnesses and to supplement their list of witnesses based on Complainant's case-in-chief.

B. Respondents' Exhibits

Respondents may use any of the following documents as exhibits:

1. Inspection Report – August 18, 1993
2. Inspection Report – April 7, 1994
3. Inspection Report – March 22, 1995
4. Inspection Report – May 22, 1995
5. Inspection Report – July 28, 1998
6. Inspection Report – March 31, 1999
7. Inspection Report – May 11, 1999
8. Inspection Report – July 20, 1999
9. Affidavit of Jim Pelnarsh
10. Affidavit of R. Michael McDermont (with exhibits)
11. Rapier to Mackoff letter (with exhibit)
12. Jim Pelnarsh Prior Conduct Certifications (Group Exhibit)
13. Portion of a transcript from Hearing before the Illinois Pollution Control Board in PCB 01-170 (October 15-17, 2001, pages 66-69)

14. Solid Waste Landfill Capacity Certification Form April 19, 1993
15. Solid Waste Landfill Capacity Certification Form January 18, 1995
16. Solid Waste Landfill Capacity Certification Form January 15, 1996
17. Illinois Pollution Control Board Order dated April 5, 2001 in PCB 97-193
18. Illinois Pollution Control Board Order dated October 3, 2002 in PCB 97-193
19. Illinois Pollution Control Board Order dated April 20, 2006
20. Order in PCB 95-137, Community Landfill Co., Inc. v. IEPA  
(unpublished No. 3-96-0182)
21. Variance in PCB 95-137, Community Landfill Co., Inc. v. IEPA (June 20, 1996)
22. Documents related to Edward Pruim and Robert Pruijs' convictions (Group Exhibit)
23. Complainant's Supplemental Discovery Response to Respondent's Second Set of Interrogatories (letter October 6, 2008 – documents not attached)
24. Complainant's Supplemental Response to Respondent's Second Set of Interrogatories (October 2, 2008)
25. Complainant's Supplemental Discovery Responses (Gary Styzens Report) (August 26, 2008)
26. Complainant's Supplemental Discovery Response to Respondent's Second Set of Interrogatories (August 4, 2008)
27. Complainant's Responses to Respondent's Second Set of Request for Production of Documents (February 21, 2003)
28. Complainant's Responses to Respondent's Second Set of Interrogatories (February 7, 2003)
29. IEPA Affidavits for Complainant's Responses to Respondent's First Request for Admission of Facts (December 16, 1998)
  - \* Warren Weritz
  - \* John Taylor
  - \* Christine Roque

30. Complainant's Responses and Objections to Respondent's First Request for Production of Documents (December 11, 1998)
31. Complainant's Responses and Objections to Respondent's First Set of Interrogatories (December 11, 1998)
32. Complainant's Responses and Objections to Respondent's First Request for Admission of Facts (December 11, 1998)

The following deposition transcripts (and accompanying exhibits) may be used by Respondents at hearing. By agreement with counsel for Complainant, copies are not included herein.

33. Blake Harris (01/15/02)
34. Christina Kovaszny (01/15/02)
35. Christine Roque (01/15/02)
36. Warren Weritz (01/15/02)
37. Gary Styzens (10/26/08 and 11/07/08)

The following pleadings may be used by Respondents at hearing. By agreement with counsel for Complainant, copies are not included herein.

38. Community Landfill Company, Inc.'s Answer to Complainant's 2<sup>nd</sup> Amended Complaint and Affirmative Defenses in PCB 97-193 (filed April 24, 2000)
39. Edward Pruiim's Answer to Complaint and Affirmative Defenses (filed January 4, 2005)
40. Robert Pruiim's Answer to Complaint and Affirmative Defenses (filed January 4, 2005)

Relevant portions of the following Statutes and Board Regulations may be used by Respondents at hearing. By agreement with counsel for Complainant, copies are not included herein.

41. Illinois Environmental Protection Act - §21 et seq.
42. 35 Ill. Adm Code §800 et seq.

Respectfully submitted,

/s/ Clarissa Y. Cutler  
One of Respondents' Attorneys

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**CERTIFICATE OF SERVICE**

I, Clarissa Y. Cutler (f/k/a Grayson), an attorney, hereby certify that I caused to be served a copy of the foregoing **RESPONDENTS COMMUNITY LANDFILL COMPANY, INC. AND EDWARD PRUIM AND ROBERT PRUIMS' LIST OF WITNESSES AND EXHIBITS FOR HEARING ON DECEMBER 2-5, 2008**, by electronic filing, emailing, and by placing same in first-class postage prepaid envelopes and depositing same in the U.S. Mail Box located at 200 North LaSalle Street, Chicago, Illinois, this 17<sup>TH</sup> day of **NOVEMBER, 2008**, addressed as follows:

**By U.S. Mail and email**

Christopher Grant  
Jennifer Van Wie  
Environmental Bureau  
Assistant Attorney General  
69 W. Washington, 18th Floor  
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**By U.S. Mail and email**

Bradley Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
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/s/ Clarissa Y. Cutler  
One of Respondents' Attorneys

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