

NOTICE OF FILING

TO: All Counsel of Record (see attached Service List)

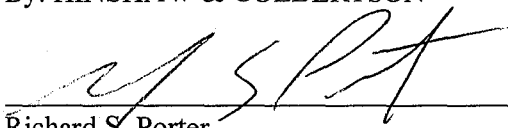
PLEASE TAKE NOTICE that on May 22, 2003, the undersigned filed with the Illinois Pollution Control Board, 100 West Randolph Street, Chicago, Illinois 60601, an original and nine copies of the Affidavit of Joan Lane and Affidavit of Mike Van Mill, copies of which are attached hereto.

Dated: May 22, 2003

Respectfully submitted,

On behalf of the COUNTY OF KANKAKEE and
COUNTY BOARD OF KANKAKEE

By: HINSHAW & CULBERTSON


Richard S. Porter
One of its Attorneys

HINSHAW AND CULBERTSON
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389
815-490-4900

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AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on May 22, 2003, a copy of the foregoing was served upon:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601-3218

Attorney George Mueller
501 State Street
Ottawa, IL 61350
(815) 433-4705
(815) 433-4913 FAX

Donald J. Moran
Pederson & Houpt
161 N. Clark Street, Suite 3100
Chicago, IL 60601-3242
(312) 261-2149
(312) 261-1149 FAX

Elizabeth Harvey, Esq.
Swanson, Martin & Bell
One IBM Plaza, Suite 2900
330 North Wabash
Chicago, IL 60611
(312) 321-9100
(312) 321-0990 FAX

Kenneth A. Leshen
One Dearborn Square, Suite 550
Kankakee, IL 60901
(815) 933-3385
(815) 933-3397 FAX

L. Patrick Power
956 North Fifth Avenue
Kankakee, IL 60901
(815) 937-6937
(815) 937-0056 FAX

Keith Runyon
1165 Plum Creek Drive
Bourbonnais, IL 60914
(815) 937-9838
(815) 937-9164 FAX

Jennifer J. Sackett Pohlenz
175 W. Jackson Boulevard
Suite 1600
Chicago, IL 60604
(312) 540-7540
(312) 540-0578 FAX

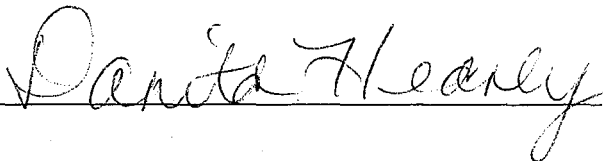
Kenneth A. Bleyer
923 W. Gordon Terrace #3
Chicago, IL 60613-2013

Patricia O'Dell
1242 Arrowhead Drive
Bourbonnais, IL 60914

Daniel J. Hartweg
175 W. Jackson, Suite 1600
Chicago, IL 60604
(312) 540-7000
(312) 540-0578 FAX

Mr. Brad Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, 11th Floor
Chicago, IL 60601
(312) 814-8917
(312) 814-3669 FAX

By depositing a copy thereof, enclosed in an envelope in the UPS Overnight Mail at Rockford,, Illinois, proper fees prepaid, before the hour of 5:00 P.M., addressed as above



Firm No. 695
HINSHAW & CULBERTSON
100 Park Avenue
P.O. Box 1389
Rockford, Illinois 61101
(815) 490-4900

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CLERK'S OFFICE

MAY 23 2003

ILLINOIS POLLUTION CONTROL BOARD

CITY OF KANKAKEE,)

Petitioner,)

vs.)

COUNTY OF KANKAKEE, COUNTY)
BOARD OF KANKAKEE, and WASTE)
MANAGEMENT OF ILLINOIS, INC.)

Respondents.)

MERLIN KARLOCK,)

Petitioner,)

vs.)

COUNTY OF KANKAKEE, COUNTY)
BOARD OF KANKAKEE, and WASTE)
MANAGEMENT OF ILLINOIS, INC.)

Respondents.)

MICHAEL WATSON,)

Petitioner,)

vs.)

COUNTY OF KANKAKEE, COUNTY)
BOARD OF KANKAKEE, and WASTE)
MANAGEMENT OF ILLINOIS, INC.)

Respondents.)

KEITH RUNYON,)

Petitioner,)

vs.)

COUNTY OF KANKAKEE, COUNTY)
BOARD OF KANKAKEE, and WASTE)
MANAGEMENT OF ILLINOIS, INC.)

Respondents.)

PCB 03-125

(Third-Party Pollution Control Facility
Siting Appeal)

PCB 03-133

(Third-Party Pollution Control Facility
Siting Appeal)

PCB 03-134

(Third-Party Pollution Control Facility
Siting Appeal)

PCB 03-135

(Third-Party Pollution Control Facility
Siting Appeal)

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT

I, JOAN LANE, the undersigned being first duly sworn on oath depose and state as follows:

1. I am an employee of Hinshaw & Culbertson and the Administrative Assistant for Charles F. Helsten who is a Special Assistant State's Attorney for the County of Kankakee for environmental and solid waste matters.

2. Mr. Helsten and Hinshaw & Culbertson were hired by the State's Attorney for the County of Kankakee in late 2001.

3. At the time that Hinshaw & Culbertson and Mr. Helsten were hired by the Kankakee County State's Attorney, a file was opened, Matter Number 809319, at which time the matter was referred to as the "Kankakee County Landfill".

4. I was responsible for opening the file for Mr. Helsten, and at that time I inadvertently listed the Kankakee County Landfill as the both the "matter" and the "client".

5. The landfill itself was not the client.

6. Since the date that Hinshaw was first retained by the Kankakee County State's Attorney several other files have been opened for Hinshaw's representation of the State's Attorney, Kankakee County or Kankakee County staff, including Matter Numbers, 813053, 813333, and 815142.

7. I used the "file intake sheet" for Matter Number 809319 as a template for the file intake sheets for Matter Numbers 813053, 813333, 815142 and any other file opened on behalf of the Kankakee County State's Attorney, Kankakee County or Kankakee County staff.

8. Because I used the file intake sheet for 809139 as a template for the subsequent files, the same typographical error referencing that the client was "Kankakee County Landfill" was made in each of these subsequent files.

9. All of the bills concerning the application to expand the landfill operated by Waste Management in Kankakee County have been paid by Kankakee County.

10. The reference to "Kankakee County Landfill" as the client on the file intake sheet was merely an inadvertent typographical error.

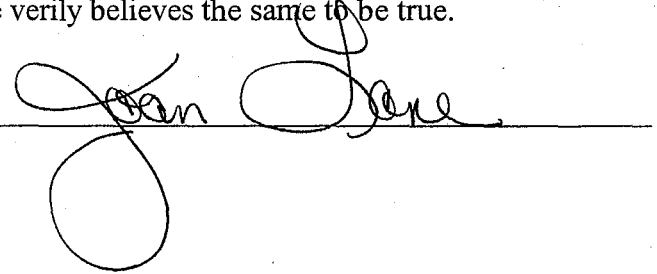
11. The result of the client being identified as Kankakee County Landfill on the file intake sheets was that the invoices sent to Kankakee County State's Attorney Edward Smith erroneously indicated "Represent: Kankakee County Landfill".

12. In January 2003, I had the error corrected on all of the files.

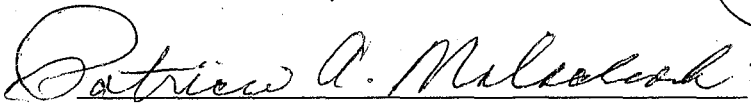
13. At no time has Hinshaw & Culbertson represented the Kankakee County landfill or its operator, Waste Management of Illinois, Inc., in regard to any siting application, host agreement negotiation, or otherwise, in Kankakee County.

FURTHER AFFIANT SAYETH NOT.

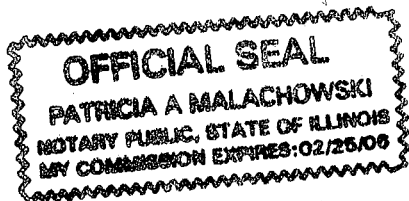
Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies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



SUBSCRIBED and SWORN to
before me this 21st day of May, 2003.



Notary Public



RECEIVED

CLERK'S OFFICE

MAY 23 2003

ILLINOIS POLLUTION CONTROL BOARD

CITY OF KANKAKEE,)

Petitioner,)

vs.)

COUNTY OF KANKAKEE, COUNTY
BOARD OF KANKAKEE, and WASTE
MANAGEMENT OF ILLINOIS, INC.)

Respondents.)

MERLIN KARLOCK,)

Petitioner,)

vs.)

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BOARD OF KANKAKEE, and WASTE
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MANAGEMENT OF ILLINOIS, INC.)

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KEITH RUNYON,)

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vs.)

COUNTY OF KANKAKEE, COUNTY
BOARD OF KANKAKEE, and WASTE
MANAGEMENT OF ILLINOIS, INC.)

Respondents.)

PCB 03-125
(Third-Party Pollution Control Facility
Siting Appeal) **Pollution Control Board**

PCB 03-133
(Third-Party Pollution Control Facility
Siting Appeal)

PCB 03-134
(Third-Party Pollution Control Facility
Siting Appeal)

PCB 03-135
(Third-Party Pollution Control Facility
Siting Appeal)

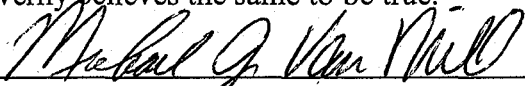
AFFIDAVIT

I, MIKE VAN MILL, the undersigned being first duly sworn on oath depose and state as follows:

1. I am the Kankakee County Planning Director.
2. I am familiar with the attorneys that have been hired by the County of Kankakee to assist in the legal aspects of the County's environmental and solid waste management issues.
3. In 2001 Attorney Charles Helsten and the law firm of Hinshaw & Culbertson were hired by the State's Attorney for County of Kankakee.
4. At various times Hinshaw & Culbertson has represented the County of Kankakee, County staff, and/or the Kankakee County State's Attorney.
5. At no time did the State's Attorney, Kankakee County, or Kankakee County staff retain Hinshaw & Culbertson or Mr. Helsten to represent Waste Management of Illinois, the operator of the Kankakee County Landfill.
6. The County of Kankakee has paid all of Hinshaw & Culbertson's invoices which are in any way associated with the negotiation of a host agreement with Waste Management of Illinois.
7. The County of Kankakee has paid all of Hinshaw & Culbertson's invoices concerning the application of Waste Management of Illinois to site a landfill expansion in Kankakee County.

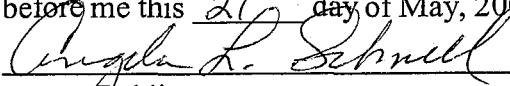
FURTHER AFFIANT SAYETH NOT.

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



MIKE VAN MILL

SUBSCRIBED and SWORN to
before me this 26 day of May, 2003.



Notary Public

