

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ROXANA LANDFILL, INC.

RECEIVED
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SEP 19 2014

Petitioner,

vs.
VILLAGE BOARD OF THE VILLAGE OF
CASEYVILLE, ILLINOIS;
VILLAGE OF CASEVILLE, ILLINOIS; and
CASEYVILLE TRANSFER STATION, L.L.C.

No. PCB 15-65

(Pollution Control Facility Siting Application)

STATE OF ILLINOIS
Pollution Control Board

Respondents.

VILLAGE OF FAIRMONT CITY, ILLINOIS,
Petitioner,

No. PCB 15-69

(Pollution Control Facility Siting Application)



ORIGINAL

vs.
VILLAGE OF CASEYVILLE, ILLINOIS BOARD
OF TRUSTEES and CASEYVILLE TRASFER
STATION, L.L.C.

Respondents.

NOTICE OF FILING

TO:

Village Clerk
Village of Caseyville
909 S. Main Street
Caseyville, Illinois 62232

Mayor of Caseyville
Leonard Black
909 S. Main Street
Caseyville, Illinois 62232

Caseyville Transfer Station, L.L.C.
Attn: JOHN P. SIEMSEN, Registered Agent
290 South Main Pl, STE 101
Carol Stream, IL 60188

Robert J. Sprague
Sprague & Urbana
26 E. Washington Street
Belleville, Illinois 62220

Donald J. Moran
Pedersen & Houpt
161 N. Clark Street, Ste 2700
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on September 19, 2014, we filed with the Illinois Pollution Control Board, (1) this Notice of Filing; and the attached (2) Joint Motion to Consolidate Petitions for Review Proceedings, pursuant to Section 101.406 of the Illinois Pollution Control Board Rules, a copy of each is attached and served upon you.

Dated: September 19, 2014

Respectfully submitted,

Jennifer J. Sackett Pohlenz (Atty # 6225990)
CLARK HILL PLC

ROXANA LANDFILL, INC.

150 N Michigan Ave | Suite 2700 | Chicago,
Illinois 60601 | 312.985.5912 (direct) |
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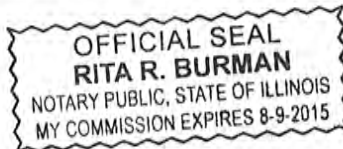
By:


One of Its Attorneys

PROOF OF SERVICE

I, Jennifer J. Pohlenz Sackett, an attorney, on oath states that I served the foregoing Notice of Filing and Motion on the above listed parties at the above listed addresses this 19th day of September, 2014, before the hours of 5:00 p.m, by U.S. Mail from the postbox at 150 N Michigan Ave., Chicago, IL.

Notary Public Rita R. Burman
My Commission expires 8-9-15



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No. PCB 15-65

(Pollution Control Facility Siting Application)

No. PCB 15-69

(Pollution Control Facility Siting Application)

STATE OF ILLINOIS
Pollution Control Board

JOINT MOTION TO CONSOLIDATE

NOW COMES Petitioners ROXANA LANDFILL, INC. and VILLAGE OF FAIRMONT CITY, ILLINOIS, by and through their respective attorneys, and move this Board pursuant to Section 101.406 of the Illinois Pollution Control Board Rules (35 IAC 101.406) for Consolidation of PCB matter numbers 15-65 and 15-69, both captioned above. In support of this Motion to Consolidate, the Petitioners jointly state as follows:

1. Matter Nos. 15-65 and 15-69 both arise out of the same Section 39.2 site location approval by the Village of Caseyville in favor of Caseyville Transfer Station, L.L.C. (415 ILCS 5/39.2)

2. Both Petitioners were participants in the Section 39.2 proceedings before the Village of Caseyville concerning Caseyville Transfer Station, L.L.C.'s application for site location approval.

3. Section 101.406 of the Illinois Pollution Control Board Rules states:

The Board, upon the motion of any party or upon its own motion, may consolidate two or more proceedings for the purpose of hearing or decision or both. The Board will consolidate the proceedings if consolidation is in the interest of convenience, expeditious, and complete determination of claims, and if consolidation would not cause material

prejudice to any party. The Board will not consolidate proceedings where the burdens of proof vary.

4. The Petitions filed by VILLAGE OF FAIRMONT CITY and ROXANA LANDFILL, INC. concern the same siting proceeding and raise many of the same, key issues. It is anticipated that the two petitions will involve substantially similar discovery, witnesses, and material facts. The consolidation of these Petitions for hearing and decision, will result in convenience (with witnesses, for example, testifying at one deposition or hearing, rather than two), and the expeditious and complete determination of claims (scheduling, for example, of duplicate discovery and hearings, will be greatly duplicative and delay the determination of claims). In addition, consolidation will not cause material prejudice to any party.

WHEREFORE, Petitioners ROXANA LANDFILL, INC. and VILLAGE OF FAIRMONT CITY respectfully request the Board to grant this Motion to Consolidate and consolidate the matters captioned above for all proceedings through hearing and decision by the Board, and any other additional relief as deemed necessary.

Dated: September 19, 2014

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Attorney Registration No. 6225990

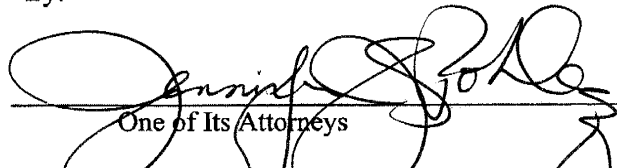
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Respectfully submitted,

ROXANA LANDFILL, INC.

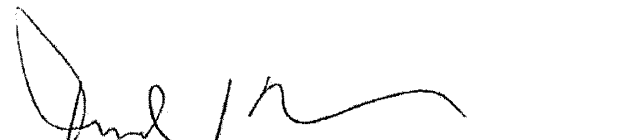
By:



One of Its Attorneys

VILLAGE OF FAIRMONT CITY, ILLINOIS

By:



One of Its Attorneys