

ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD

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APR 10 2003

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)

STATE OF ILLINOIS
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)

MOTION FOR LEAVE TO FILE REPLY BRIEF

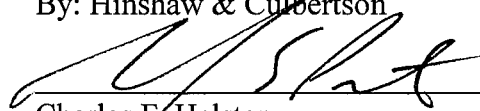
NOW COME Respondents, COUNTY OF KANKAKEE and COUNTY BOARD OF KANKAKEE, by and through their attorneys, HINSHAW & CULBERTSON, and as and for their Motion for Leave to File Reply Brief, state as follow:

1. On March 31, 2003, the undersigned attorney received the Response to Motion to Dismiss Petition for Review filed by the City of Kankakee.
2. The response filed by the City of Kankakee makes an erroneous statement that the County of Kankakee's Motion to Dismiss "not filed in a timely manner in accordance with the provisions of the Illinois Pollution Control Board". The County also suggests that the Pollution Control Board does not have the authority to hear the Motion to Dismiss, because the Board issued a previous order accepting the petitions and the City further argues that any objection to the City filing an appeal has been waived. All of the City's arguments are erroneous and misleading and to adequately address the issue the Pollution Control Board should allow the Respondent leave to file the reply, which is attached hereto, instant.

WHEREFORE, Respondents, COUNTY OF KANKAKEE and COUNTY BOARD OF KANKAKEE, by and through their attorneys, HINSHAW & CULBERTSON, pray for leave to file the attached Reply Brief, instant.

Respectfully Submitted,

On behalf of the COUNTY OF KANKAKEE
By: Hinshaw & Culbertson



Charles F. Helsten
Richard S. Porter
One of Attorneys

HINSHAW AND CULBERTSON
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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 April 9, 2003, a copy of the foregoing was served upon:

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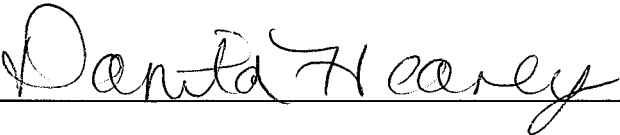
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By depositing a copy thereof, enclosed in an envelope in the United States Mail at Rockford,, Illinois, proper postage prepaid, before the hour of 5:00 P.M., addressed as above



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