

RECEIVED  
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

APR 7 2003

MICHAEL WATSON,

Petitioner,

vs.

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

Respondent.

No. PCB 03-134

STATE OF ILLINOIS  
Pollution Control Board

(Pollution Control Facility Siting Appeal)

Consolidated With PCB 03-125, 03-133,  
03-135, 03-144)

**NOTICE OF FILING**

TO: See Attached Service List

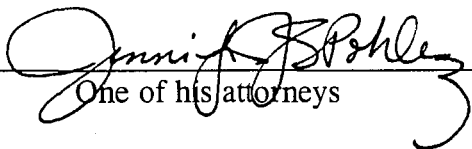
PLEASE TAKE NOTICE that April 4, 2003, we filed, *via* U.S. Mail, with the Illinois Pollution Control Board, the following documents, copies of which are attached hereto and served upon you in the manner specified in the attached Service List.

Subpoena Duces Tecum directed to Kankakee County;

Subpoena Duces Tecum directed to Patricia Beaver-McGarr, Jeremy R. Walling, and Integra Realty Resources;

Subpoena Duces Tecum directed to David Miller, Stephen Corcoran, and Metro Transportation Group, Inc.

PETITIONER MICHAEL WATSON

  
One of his attorneys

Jennifer J. Sackett Pohlenz  
**QUERREY & HARROW, LTD.**  
175 West Jackson Boulevard  
Suite 1600  
Chicago, Illinois 60604  
(312) 540-7000  
Attorney Registration No. 6225990  
**Attorneys for Petitioner Michael Watson**

**PROOF OF SERVICE**

Daniel J. Hartweg, an attorney, certifies that he served the foregoing **Notice of Filing**, on the following parties and persons by **facsimile from** or **via U.S Mail from** 175 West Jackson Boulevard, Chicago, Illinois, to the telefax numbers or addresses listed and in the manner stated below, on this 4th day of April, 2003, before the hour of 5:00 p.m.

**Via Facsimile**

Donald Moran  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, IL 60601-3242  
Fax: (312) 261-1149

**Attorney for Waste Management of Illinois, Inc.**

**Via Facsimile**

Kenneth A. Leshen  
One Dearborn Square  
Suite 550  
Kankakee, IL 60901  
Fax: (815) 933-3397  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

George Mueller  
George Mueller, P.C.  
501 State Street  
Ottawa, IL 61350  
Fax: (815) 433-4913  
**Representing Petitioner in PCB 03-133**

**Via U.S. Mail**

Leland Milk  
6903 S. Route 45-52  
Chebanse, IL 60922-5153  
**Interested Party**

**Via Facsimile**

Charles Helston  
Richard Porter  
Hinshaw & Culbertson  
100 Park Avenue  
P.O. Box 1389  
Rockford, Illinois 61105-1389  
Fax: (815) 490-4901  
**Representing Kankakee County Board**

**Via U.S. Mail**

Patricia O'Dell  
1242 Arrowhead Drive  
Bourbonnais, IL 60914  
**Interested Party**

**Via Facsimile**


Keith Runyon  
1165 Plum Creek Drive  
Bourbonnais, IL 60914  
Fax: (815) 937-9164  
**Petitioner in PCB 03-135**

**Via Facsimile**

L. Patrick Power  
956 North Fifth Avenue  
Kankakee, IL 60901  
Fax: (815) 937-0056  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

Elizabeth S. Harvey, Esq.  
Swanson, Martin & Bell  
One IBM Plaza, Suite 2900  
330 North Wabash  
Chicago, IL 60611  
Fax: (312) 321-0990  
**Representing Kankakee County Board**

  
Daniel J. Hartweg



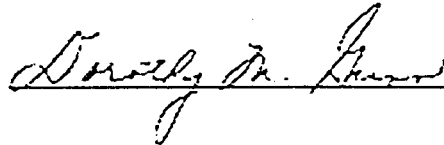
You are also ordered to bring with you documents relevant to the matter under consideration and designated herein: See, attached "Rider to Document Subpoena."

Documents subpoenaed herein are subpoenaed for production on or before April 18, 2003. Please call Jennifer J. Sackett Pohlenz at (312) 540-7540, to make arrangements for inspection and/or copying of documents.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: April 4, 2003

CERTIFICATE OF SERVICE

I, Alesia Mansfield, certify that on this 4th day of April 2003, I caused copies of the ~~SUBPOENA~~ SUBPOENA DUCES TECUM to be served upon the following:

See, attached Service List

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid., unless otherwise stated on the attached Service List.

\_\_\_\_\_  
(Signature)

## **Rider to Document Subpoena**

Any and all documents concerning or related to the work and review by Patricia Beaver-McGarr, Jeremy R. Walling, and/or Integra Realty Resources, 850 W. Jackson Blvd, Suite 310, Chicago, IL 60607, (collectively referenced herein as "Consultant") in preparation of or for the report submitted or prepared by Consultant and included in Waste Management of Illinois, Inc.'s Site Location Application For Expansion of the Kankakee Landfill which was filed with Kankakee County on or about March 29, 2002 and August 16, 2002 ("Report"), including but not limited to any and all documents reviewed by Consultant in preparation of the Report, any and all documents created by Consultant in preparation of the Report, any and all documents provided to Consultant by anyone (including, but not limited to Waste Management of Illinois, Inc. or its employees, representatives, agents, and/or officers). Additionally, produce any and all drafts of the Report; any and all documents relied on in the preparation of the Report; and any and all documents reviewed, relied on, prepared, or received in preparation for, or which formed a basis of the testimony provided at the public hearing in the aforementioned Site Location Application for Expansion of the Kankakee Landfill filed on August 16, 2002.

"Documents" as used in this Rider and Subpoena for documents is defined pursuant to Illinois Supreme Court Rule 201(b)(1), and includes, but is not limited to, "papers, photographs, films, recordings, memoranda, books, records, accounts, communications and all retrievable information in computer storage," including but not limited to, correspondence, drafts, and e-mails.

Document #: 817013

APR 7 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD STATE OF ILLINOIS  
*Pollution Control Board*

MICHAEL WATSON,

Petitioner,

vs.

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

Respondent.

No. PCB 03-134

(Pollution Control Facility Siting Appeal)

Consolidated With PCB 03-125, 03-133,  
03-135)

**PROOF OF SERVICE**

Alesia Mansfield, a non-attorney, on oath states that she served **Petitioner, Michael Watson's, Patricia Beaver-McGarr, Jeremy R. Walling, and/or Integra Realty Resources, 850 W. Jackson Boulevard, Suite 310, Chicago, Illinois 60607**, on the following individuals in the manner(s) stated below this 4<sup>th</sup> day of April, 2003, before the hour of 5:00 p.m.

**Via Certified Mail**

Patricia Beaver-McGarr  
Jeremy R. Walling  
Integra Realty Resources  
850 W. Jackson Boulevard, Suite 310  
Chicago, Illinois 60607

**Via Facsimile**

Donald Moran  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, IL 60601-3242  
(312) 261-2149 – Phone  
(312) 261-1149 – Fax  
**Attorney for Waste Management of Illinois,  
Inc.**

**Via U.S. Mail**

Patricia O'Dell  
1242 Arrowhead Drive  
Bourbonnais, IL 60914  
**Interested Party**

**Via Facsimile**

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

**Via Facsimile**

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

(815) 933-3385 – Fax  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

George Mueller  
George Mueller, P.C.  
501 State Street  
Ottawa, IL 61350  
(312) 433-4705 – Phone  
(312) 433-4913 – Fax  
**Representing Petitioner in PCB 03-133**

**Via U.S. Mail**

Leland Milk  
6903 S. Route 45-52,  
Chebanse, IL 60922-5153  
**Interested Party**

**Via Facsimile**

Richard Porter  
Hinshaw & Culbertson  
100 Park Avenue  
P.O. Box 1389  
Rockford, Illinois 61105-1389  
(815) 490-4900 – Phone  
(815) 490-4901 – Fax  
**Representing Kankakee County Board**

**Petitioner in PCB 03-135**

**Via Facsimile**

L. Patrick Power  
956 North Fifth Avenue  
Kankakee, IL 60901  
(815) 937-6937 – Phone  
(815) 937-0056 – Fax  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

Elizabeth S. Harvey, Esq.  
Swanson, Martin & Bell  
One IBM Plaza, Suite 2900  
330 North Wabash  
Chicago, IL 60611  
(312) 321-9100 – Phone  
(312) 321-0990 – Fax  
**Representing Kankakee County Board**

  
Alesia Mansfield

Document #: 817020

Before the Illinois Pollution Control Board

MICHAEL WATSON, )  
 )  
 \_\_\_\_\_ )  
 )  
 \_\_\_\_\_ )  
 )  
 Complainant/Petitioner, )  
 )  
 v. )  
 )  
COUNTY BOARD OF KANKAKEE COUNTY, )  
 )  
ILLINOIS, and WASTE MANAGEMENT )  
 )  
OF ILLINOIS, INC. )  
 )  
 Respondent. )

PCB 03-134  
 (Consolidated with PCB 03-125,  
 03-133, 03-135, and 03-144)

~~SUBPOENA~~ SUBPOENA DUCES TECUM

TO: David Miller, Stephen Corcoran, and ~~AAA~~ Metro Transportation Group, Inc.  
1300 Greenbrook Blvd  
Hanover Park, IL 60133

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
 (2002)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
 the hearing/deposition in the above-captioned matter at \_\_\_\_\_

\_\_\_\_\_ .m. on \_\_\_\_\_ 20\_\_\_\_\_, at

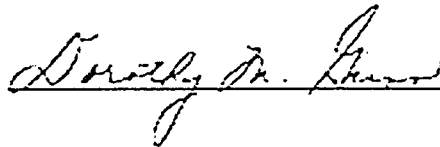
\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



You are also ordered to bring with you documents relevant to the matter under consideration and designated herein: See, attached "Rider to Document Subpoena."  
Documents subpoenaed herein are subpoenaed for production on or before  
April 18, 2003. Please call Jennifer J. Sackett Pohlenz at (312) 540-7540,  
to make arrangements for inspection and/or copying of documents.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: April 4, 2003

CERTIFICATE OF SERVICE

I, Alesia Mansfield, certify that on this 4th day of April 2003, I caused copies of the ~~SUBPOENA~~/SUBPOENA DUCES TECUM to be served upon the following:

See, attached Service List  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid., unless otherwise stated on the attached Service List.

\_\_\_\_\_  
(Signature)

## Rider to Document Subpoena

Any and all documents concerning or related to the work and review by David Miller, Stephen Corcoran, and/or Metro Transportation Group, Inc., 1300 Greenbrook Boulevard, Hanover Park, Illinois, 60133 (collectively referenced herein as "Consultant") in preparation of or for the report submitted or prepared by Consultant and included in Waste Management of Illinois, Inc.'s Site Location Application For Expansion of the Kankakee Landfill which was filed with Kankakee County on or about March 29, 2002 and August 16, 2002 ("Report"), including but not limited to any and all documents reviewed by Consultant in preparation of the Report, any and all documents created by Consultant in preparation of the Report, any and all documents provided to Consultant by anyone (including, but not limited to Waste Management of Illinois, Inc. or its employees, representatives, agents, and/or officers). Additionally, produce any and all drafts of the Report; any and all documents relied on in the preparation of the Report; and any and all documents reviewed, relied on, prepared, or received in preparation for, or which formed a basis of the testimony provided at the public hearing in the aforementioned Site Location Application for Expansion of the Kankakee Landfill filed on August 16, 2002.

"Documents" as used in this Rider and Subpoena for documents is defined pursuant to Illinois Supreme Court Rule 201(b)(1), and includes, but is not limited to, "papers, photographs, films, recordings, memoranda, books, records, accounts, communications and all retrievable information in computer storage," including but not limited to, correspondence, drafts, and e-mails.

Document #: 817014

APR 7 2003

65448-POH

STATE OF ILLINOIS  
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD *Pollution Control Board*

MICHAEL WATSON,

Petitioner,

vs.

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

Respondent.

No. PCB 03-134

(Pollution Control Facility Siting Appeal)

Consolidated With PCB 03-125, 03-133,  
03-135)

**PROOF OF SERVICE**

Alesia Mansfield, a non-attorney, on oath states that she served **Petitioner, Michael Watson's, Subpoena Duces Tecum to David Miller, Stephen Corcoran, Metro Transportation Group, Inc., 1300 Greenbrook Boulevard, Hanover Park, Illinois 60133**, on the following individuals in the manner(s) stated below this 4<sup>th</sup> day of April, 2003, before the hour of 5:00 p.m.

**Via Certified Mail**

David Miller  
Stephen Corcoran  
Metro Transportation Group, Inc.  
1300 Greenbrook Boulevard  
Hanover Park, Illinois 60133

**Via Facsimile**

Donald Moran  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, IL 60601-3242  
(312) 261-2149 – Phone  
(312) 261-1149 – Fax  
**Attorney for Waste Management of Illinois,  
Inc.**

**Via U.S. Mail**

Patricia O'Dell  
1242 Arrowhead Drive  
Bourbonnais, IL 60914  
**Interested Party**

**Via Facsimile**

Kenneth A. Leshen  
One Dearborn Square  
Suite 550  
Kankakee, IL 60901

**Via Facsimile**

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

(815) 933-3397 – Phone  
(815) 933-3385 – Fax  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

George Mueller  
George Mueller, P.C.  
501 State Street  
Ottawa, IL 61350  
(312) 433-4705 – Phone  
(312) 433-4913 – Fax  
**Representing Petitioner in PCB 03-133**

**Via U.S. Mail**

Leland Milk  
6903 S. Route 45-52  
Chebanse, IL 60922-5153  
**Interested Party**

**Via Facsimile**

Richard Porter  
Hinshaw & Culbertson  
100 Park Avenue  
P.O. Box 1389  
Rockford, Illinois 61105-1389  
(815) 490-4900 – Phone  
(815) 490-4901 – Fax  
**Representing Kankakee County Board**

(815) 937-9164 – Fax  
**Petitioner in PCB 03-135**

**Via Facsimile**

L. Patrick Power  
956 North Fifth Avenue  
Kankakee, IL 60901  
(815) 937-6937 – Phone  
(815) 937-0056 – Fax  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

Elizabeth S. Harvey, Esq.  
Swanson, Martin & Bell  
One IBM Plaza, Suite 2900  
330 North Wabash  
Chicago, IL 60611  
(312) 321-9100 – Phone  
(312) 321-0990 – Fax  
**Representing Kankakee County Board**

  
Alesia Mansfield

Document #: 817020

Before the Illinois Pollution Control Board

MICHAEL WATSON, )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 Complainant/Petitioner, )  
 v. )  
COUNTY BOARD OF KANKAKEE COUNTY, )  
 \_\_\_\_\_ )  
ILLINOIS, and WASTE MANAGEMENT )  
OF ILLINOIS, INC. )  
 Respondent. )

PCB 03-134  
 (Consolidated with PCB 03-125,  
 03-133, 03-135, and 03-144)

~~SUBPOENA~~ SUBPOENA DUCES TECUM

TO: Kankakee County, Illinois  
c/o Mr. Bruce Clark, Kankakee County Clerk  
Kankakee County Administration Bldg.  
180 E. Court Street, Kankakee, IL 60901

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e)  
 (2002)) and 35 Ill. Adm. Code 101.622, you are ordered to attend and give testimony at  
 the hearing/deposition in the above-captioned matter at \_\_\_\_\_

\_\_\_\_\_ .m. on \_\_\_\_\_ 20\_\_\_\_\_, at

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

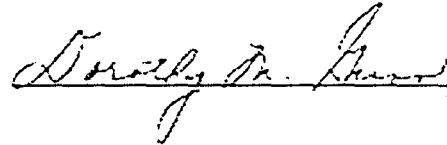
You are also ordered to bring with you documents relevant to the matter under consideration and designated herein: See, attached "Rider to Document Subpoena."

Documents subpoenaed herein are subpoenaed for production on or before April 18, 2003. Please call Jennifer J. Sackett Pohlenz at (312) 540-7540, to make arrangements for inspection and/or copying of documents.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill.

Adm. Code 101.622(g), 101.800, and 101.802.

ENTER:



Dorothy M. Gunn, Clerk  
Pollution Control Board

Date: April 4, 2003

CERTIFICATE OF SERVICE

I, Alesia Mansfield, certify that on this 4th day of April 2003, I caused copies of the ~~SUBPOENA~~ SUBPOENA DUCES TECUM to be served upon the following:

See, attached Service List  
\_\_\_\_\_  
\_\_\_\_\_

by depositing same in United States First Class Mail, postage prepaid., unless otherwise stated on the attached Service List.

\_\_\_\_\_  
(Signature)

**Rider to Document Subpoena**

Please produce any and all documents responsive to the Interrogatories and Document Production Requests attached, which are or will not be produced by the Kankakee County Board in response to the attached discovery requests.

Document #: 817018

*Printed on Recycled Paper*

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD OF ILLINOIS  
Pollution Control Board

MICHAEL WATSON,

Petitioner,

vs.

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

Respondent.

No. PCB 03-134

(Pollution Control Facility Siting Appeal)

Consolidated With PCB 03-125, 03-133,  
03-135)

**PROOF OF SERVICE**

I, Daniel Hartweg, an attorney, certify that I served **Petitioner Michael Watson's Subpoena Duces Tecum of Kankakee County**, on the following individuals in the manner(s) stated below this 4<sup>th</sup> day of April, 2003, before the hour of 5:00 p.m.

**Via Certified Mail**

Kankakee County  
c/o Bruce Clark  
Kankakee County Clerk  
Kankakee County Administration Bldg.  
180 E. Court Street, Kankakee, IL 60901

**Via Facsimile**

Donald Moran  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, IL 60601-3242  
(312) 261-2149 - Ph one  
(312) 261-1149 - Fax  
**Attorney for Waste Management of Illinois,  
Inc.**

**Via U.S. Mail**

Patricia O'Dell  
1242 Arrowhead Drive  
Bourbonnais, IL 60914

**Interested Party**

**Via Facsimile**

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

**Via Facsimile**

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



(815) 933-3385 – Fax  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

George Mueller  
George Mueller, P.C.  
501 State Street  
Ottawa, IL 61350  
(312) 433-4705 – Ph one  
(312) 433-4913 – Fax  
**Representing Petitioner in PCB 03-133**

**Via U.S. Mail**

Leland Milk  
6903 S. Route 45-52  
Chebanse, IL 60922-5153  
**Interested Party**

**Via Facsimile**

Richard Porter  
Hinshaw & Culbertson  
100 Park Avenue  
P.O. Box 1389  
Rockford, Illinois 61105-1389  
(815) 490-4900 – Ph one  
(815) 490-4901 – Fax  
**Representing Kankakee County Board**

**Petitioner in PCB 03-135**

**Via Facsimile**

L. Patrick Power  
956 North Fifth Avenue  
Kankakee, IL 60901  
(815) 937-6937 – Ph one  
(815) 937-0056 – Fax  
**Representing Petitioner in PCB 03-125**

**Via Facsimile**

Elizabeth S. Harvey, Esq.  
Swanson, Martin & Bell  
One IBM Plaza, Suite 2900  
330 North Wabash  
Chicago, IL 60611  
(312) 321-9100 – Ph one  
(312) 321-0990 – Fax  
**Representing Kankakee County Board**

  
Daniel Hartweg

Document #: 817020