

**RECEIVED**  
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NOV 14 2003

STATE OF ILLINOIS  
Pollution Control Board

BYRON SANDBERG, )

Petitioner, )

No. PCB 04-33  
(Third-Party Pollution Control  
Facility Siting Appeal)

THE CITY OF KANKAKEE, ILLINOIS CITY )  
COUNCIL, TOWN AND COUNTRY UTILITIES )  
INC., and KANKAKEE REGIONAL LANDFILL )  
L.L.C., )

Respondents. )

WASTE MANAGEMENT OF ILLINOIS, INC., )

Petitioner, )

No. PCB 04-34  
(Third-Party Pollution Control  
Facility Siting Appeal)

THE CITY OF KANKAKEE, ILLINOIS CITY )  
COUNCIL, TOWN AND COUNTRY UTILITIES )  
INC., and KANKAKEE REGIONAL LANDFILL, )  
L.L.C., )

Respondents. )

COUNTY OF KANKAKEE, ILLINOIS and )  
EDWARD D. SMITH, KANKAKEE COUNTY )  
STATE'S ATTORNEY, )

Petitioner, )

No. PCB 04-35  
(Third Party Pollution Control  
Facility Siting Appeal)  
(Consolidated)

THE CITY OF KANKAKEE, ILLINOIS CITY )  
COUNCIL, TOWN AND COUNTRY UTILITIES )  
INC., and KANKAKEE REGIONAL LANDFILL )  
L.L.C., )

Respondents. )

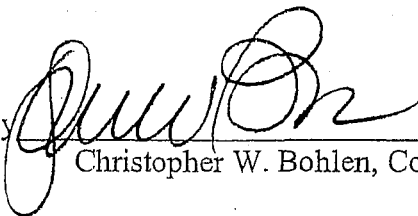
CITY OF KANKAKEE RESPONSE TO  
MOTION TO COMPEL OF WASTE MANAGEMENT

NOW COMES the respondent, THE CITY OF KANKAKEE, by and through its

attorneys, CHRISTOPHER W. BOHLEN, Corporation Counsel, KENNETH A. LESHEN and L. PATRICK POWER, Assistant City Attorneys, and hereby adopts their response to the Motion to Compel filed herein by Town and Country Utility Inc., as its response.

Respectfully submitted,

CITY OF KANKAKEE, Respondent

By  \_\_\_\_\_  
Christopher W. Bohlen, Corporation Counsel

CHRISTOPHER W. BOHLEN  
Corporation Counsel  
Reg. No. 00244945  
385 East Oak Street  
Kankakee, IL 60901  
(815) 933-0500

STATE OF ILLINOIS  
COUNTY OF KANKAKEE

CERTIFICATE OF SERVICE

I do hereby certify that an copy of the foregoing instrument was sent via facsimile and mailed to:

George Mueller  
Attorney at Law  
501 State Street  
Ottawa IL 61350

Donald J. Moran  
Pederson & Houpt  
161 N. Clark Street Suite 3100  
Chicago IL 60601-3242

L. Patrick Power  
Attorney at Law  
956 N. Fifth Avenue  
Kankakee IL 60901

Brad Halloran  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago IL 60601

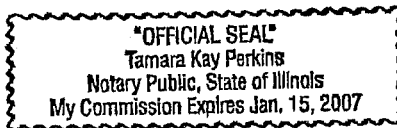
this 14<sup>th</sup> day of November, 2003 in an envelope properly addressed and with postage prepaid by depositing said envelope in the United States Mail Chute at 200 East Court Street, Kankakee, Illinois, on or before the hour of 5:00 o'clock p.m.

Michele Huston

Subscribed and sworn to before me

this 14 day of November, 2003.

Tamara Kay Perkins  
Notary Public



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BYRON SANDBERG,

Petitioner,

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)  
) No. PCB 04-33  
) (Third-Party Pollution Control  
) Facility Siting Appeal)

THE CITY OF KANKAKEE, ILLINOIS CITY  
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INC., and KANKAKEE REGIONAL LANDFILL  
L.L.C.,

Respondents.

WASTE MANAGEMENT OF ILLINOIS, INC.,

Petitioner,

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THE CITY OF KANKAKEE, ILLINOIS CITY  
COUNCIL, TOWN AND COUNTRY UTILITIES  
INC., and KANKAKEE REGIONAL LANDFILL,  
L.L.C.,

Respondents.

COUNTY OF KANKAKEE, ILLINOIS and  
EDWARD D. SMITH, KANKAKEE COUNTY  
STATE'S ATTORNEY,

Petitioner,

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THE CITY OF KANKAKEE, ILLINOIS CITY  
COUNCIL, TOWN AND COUNTRY UTILITIES  
INC., and KANKAKEE REGIONAL LANDFILL  
L.L.C.,

Respondents.

**CITY OF KANKAKEE RESPONSE TO**  
**MOTION TO COMPEL BY COUNTY OF KANKAKEE**

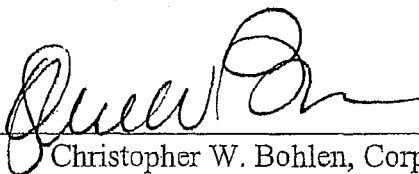
NOW COMES the respondent, THE CITY OF KANKAKEE, by and through its

attorneys, CHRISTOPHER W. BOHLEN, Corporation Counsel, KENNETH A. LESHEN and L. PATRICK POWER, Assistant City Attorneys, and in response to the Motion to Compel, states as follows:

1. The City provided to petitioner a response to the request for production of documents on November 13, 2003. The failure to provide said documents prior to said time was inadvertent in addition the City has complied by providing those documents requested by the County of Kankakee.

Respectfully submitted,

CITY OF KANKAKEE, Respondent

By  \_\_\_\_\_  
Christopher W. Bohlen, Corporation Counsel

CHRISTOPHER W. BOHLEN  
Corporation Counsel  
Reg. No. 00244945  
385 East Oak Street  
Kankakee, IL 60901  
(815) 933-0500

STATE OF ILLINOIS  
COUNTY OF KANKAKEE

CERTIFICATE OF SERVICE

I do hereby certify that an copy of the foregoing instrument was sent via facsimile and mailed to:

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Ottawa IL 61350

Donald J. Moran  
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161 N. Clark Street Suite 3100  
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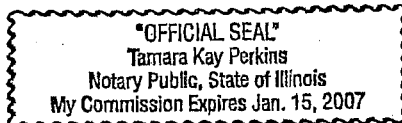
Brad Halloran  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago IL 60601

this 14 day of November, 2003 in an envelope properly addressed and with postage prepaid by depositing said envelope in the United States Mail Chute at 200 East Court Street, Kankakee, Illinois, on or before the hour of 5:00 o'clock p.m.

Michele Huston

Subscribed and sworn to before me

this 14 day of November, 2003.



Tamara Kay Perkins  
Notary Public

BARMANN  
BOHLEN &  
WOODRUFF P.C.  
ATTORNEYS AT LAW

GLEN R. BARMANN  
CHRISTOPHER W. BOHLEN  
DEBORAH A. WOODRUFF

ARMEN R. BLANKE  
1932-1980

PAUL F. BLANKE  
1960-1983

DENNIS A. NORDEN  
1969-1996

FACSIMILE COVER SHEET

TO: Brad Halloran Fax # 312-814-3669

FROM: Christopher Bohlen

DATE: 11-14-03

PAGES: 7 (including cover page)

MESSAGE: \_\_\_\_\_  
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Tel: (815)939-1133

Fax: (815)939-0994

**If you do not receive this fax in its entirety, please call Linda at the number listed above. Thank you.**

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SUITE 602  
200 EAST COURT STREET  
P.O. BOX 1787  
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FAX 815-939-0994