

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 12 2004

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS)

Complainant,)

vs.)

COMMUNITY LANDFILL COMPANY,)
INC., an Illinois corporation, and the CITY OF)
MORRIS, an Illinois municipal corporation,)

Respondents.)

Case No. PCB No. 03-191

NOTICE OF FILING

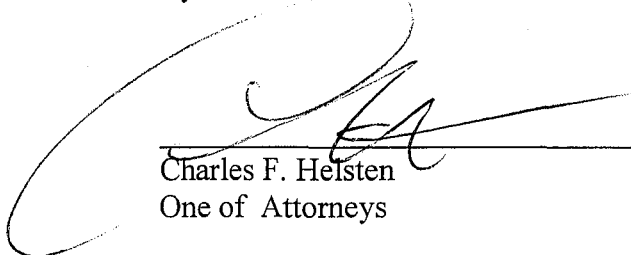
Please take notice that on October 6, 2004 we have served upon the Complainant, People of the State of Illinois, the Supplemental Response of City of Morris to the Complainant's First Set of Interrogatories.

Dated October 6, 2004

Respectfully Submitted,

On behalf of the CITY OF MORRIS

By: Hinshaw & Culbertson LLP



Charles F. Helsten
One of Attorneys

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

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STATE OF ILLINOIS
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**SUPPLEMENTAL RESPONSE OF CITY OF MORRIS TO COMPLAINANT'S
FIRST SET OF INTERROGATORIES**

NOW COMES the City of Morris, Illinois, Respondent in the above-mentioned matter, and for further Answer to Interrogatories previously propounded by the State of Illinois, states as follows:

INTERROGATORY NO. 7: To the best knowledge, information and belief, the City of Morris was never billed directly by Frontier Insurance Company until the first past due Premium Notice was received by the City on or about December 27, 2002. Attached hereto is a letter dated March 21, 2001 from T.J. Adams Group Insurance and Risk Management to Robert Feeney (then Mayor of the City of Morris) which includes various attachments. As noted in the March 21, 2000 letter to Mayor Feeney, the City had been advised by Frontier Insurance Company's agent and representative that all closure/post closure financial bonds in question which had been procured by Community Landfill Corporation would remain in full force and effect through the 2005 expiration dates, so long as annual renewal premiums were paid in full. Since these bonds were originally procured by Community Landfill Company for the benefit of both CLC and the City, pursuant to the 1982 Operating and Lease Agreement between CLC and

the City, all such premium notices were sent on by the City of Morris to Community Landfill Company, with a demand upon Community Landfill Company to pay all such premiums.

INTERROGATORY NO. 8: As noted in the City's further answer to Interrogatory No. 7 above, to the best knowledge, information and belief of the City of Morris, Community Landfill Company did all premium amounts due on all premium notices which were issued by Frontier Insurance Company. Copies of all such premium notices had been previously supplied by the City to the State in response to the State's Request for Production of Documents. As such, and although at various times, closure/post closure coverage was obtained in the name of the City for the benefit of CLC, since (to the best knowledge, information and belief of the City of Morris) Community Landfill Corporation was paying or making arrangements for payment of all such premiums as they came due, no documents or files were ever maintained in the City Clerk's office on premium payments.

INTERROGATORY NO. 10: Attached hereto are several pages of the City's most recent annual audit concerning various bond payments. The I-80 Water Tower Bond was paid off in early 2002. The interest rates on those bonds varied from 4.9%-5.4% per annum. The Municipal Compliance Plan Sewer Bonds issued in 1994 will be paid off by December 1, 2004. The interest rate on those bonds ranges from 3%-4.65% per annum. These are the only outstanding bond obligations of the City within the time period designated by the State in its discovery requests.

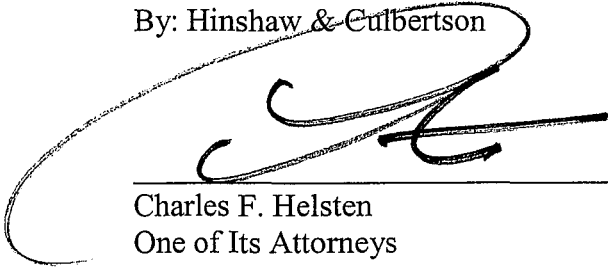
Dated: 10/6/04

Respectfully Submitted,

On behalf of the CITY OF MORRIS, an Illinois
Municipal Corporation

By: Hinshaw & Culbertson

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



Charles F. Helsten
One of Its Attorneys

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 October 6, 2004, she served a copy of the foregoing upon:

Mr. Christopher Grant
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Fl.
Chicago, IL 60601

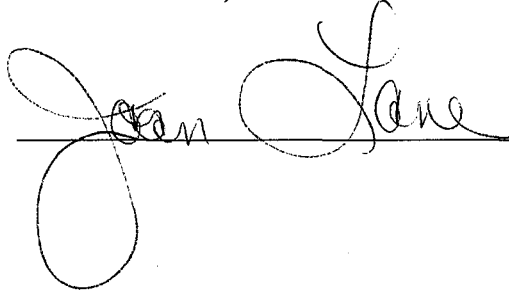
Scott Belt
Scott Belt and Associates, PC
105 E. Main Street, Suite 206
Morris, IL 60450

Clarrisa Grayson
Mark LaRose
LaRose & Bosco, Ltd.
200 N. LaSalle Street, Suite 2810
Chicago, IL 60601

Ms. Dorothy Gunn, Clerk
Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, IL 60601

Bradley Halloran
Hearing Officer
Pollution Control Board
100 W. Randolph, Suite 11
Chicago, IL 60601

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.



A handwritten signature, appearing to read "Jean Lane", is written over a horizontal line.

HINSHAW & CULBERTSON
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