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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SALINE COUNTY

LANDFILL, INC.,

Petitioner,

vs.

No. PCB 02-108

ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY,

Respondent.

Proceedings held on April 16, 2002 at 10:00 a.m., at the  
Illinois Pollution Control Board, 600 South Second Street, Suite  
403, Springfield, Illinois, before Hearing Officer Steven C.  
Langhoff.

Reported by: Darlene M. Niemeyer, CSR, RPR  
CSR License No.: 084-003677

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11 North 44th Street  
Belleville, IL 62226  
(618) 277-0190

A P P E A R A N C E S

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(No appearances by counsel.)

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P R O C E E D I N G S

(April 16, 2002; 10:00 a.m.)

HEARING OFFICER LANGHOFF: Good morning. My name is Steven Langhoff, and I am the Pollution Control Board Hearing Officer who is assigned to this matter and will be holding the hearing. This is PCB 02-108, Saline County Landfill, Inc., versus the Illinois Environmental Protection Agency. For the record, it is Tuesday, April 16th, 2002, and it is 10:00 a.m.

On February 4th of 2002, Saline County Landfill filed a petition for the review of an Illinois Environmental Protection Agency, Agency, determination. The Agency denied the application for a significant modification regarding the Saline County Landfill's facility, located approximately five miles southeast of Harrisburg in Saline County.

On February 7th, 2002, the Board accepted Saline County Landfill's petition for review. The Board also granted Saline County Landfill's request for an expedited review.

The statutory decision deadline in this matter is June 4th of 2002. The Board meeting immediately preceding the statutory decision deadline is scheduled for May 16th of 2002.

Due to the expedited nature of this matter, on March 12th of 2002, the Hearing Officer set this hearing, scheduled for today, Tuesday, April 16th of 2002. On March 14th of 2002, the Saline County Landfill filed a motion for summary judgment.

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1           On March 25th of 2002, the County of Saline filed a motion  
2 to intervene in this matter. The County of Saline represented  
3 that it is in support of the position of the Illinois  
4 Environmental Protection Agency.

5           On April 2nd of 2002, the Hearing Officer notified the  
6 parties, including the would be intervenor, the County of Saline,  
7 that today's hearing would be continued on the record today until  
8 Tuesday, April 23rd, 2002, at 10:00 a.m. The Board also noticed  
9 this continuance on the Board's calendar located on the Board's  
10 web site.

11           The rationale for this decision is that a Board decision on  
12 the outstanding motion for summary judgment, the motion for  
13 intervention, and several other outstanding motions is expected  
14 to be entered by the Board at the Board's April 18th of 2002  
15 Board meeting. The Board's decision may moot the issues in this  
16 matter entirely or refine the issues that need to be addressed by  
17 the parties at hearing.

18           The Hearing Officer will notify the parties and the would  
19 be intervenor of the Board's anticipated April 18th of 2002  
20 decision as soon as possible. I intend to fax a copy of the  
21 Board order as soon as it is available and also notify the  
22 parties and the County of Saline of the substance of the Board  
23 order by telephone.

24           The Hearing Officer notes that the parties have been

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1 engaged in discovery and are scheduled to participate in a  
2 telephone status conference later today to exchange witness lists  
3 and possible evidence that may be introduced at hearing.

4 I also note that due to a scheduling conflict with this  
5 hearing room, the hearing will be held in the Board's Library,  
6 which is the room next door.

7 For the reasons stated earlier, this hearing is continued  
8 on the record until Tuesday, April 23rd, 2002, at 10:00 a.m. The  
9 hearing will be held here in the Board's offices, located at 600  
10 South Second Street, Suite 402, in the Board's Library Room,  
11 Springfield, Illinois. Thank you.

12 (Whereupon, the proceedings concluded at  
13 approximately 10:10 a.m.)

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1 STATE OF ILLINOIS )  
 ) SS  
2 COUNTY OF MONTGOMERY)

3 C E R T I F I C A T E

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5 I, DARLENE M. NIEMEYER, a Notary Public in and for the  
6 County of Montgomery, State of Illinois, DO HEREBY CERTIFY that  
7 the foregoing 5 pages comprise a true, complete and correct  
8 transcript of the proceedings held on the 16th of April A.D.,  
9 2002, at 600 South Second Street, Suite 403, Springfield,  
10 Illinois, in the case of Saline County Landfill, Inc., versus the  
11 Illinois Environmental Protection Agency, in proceedings held  
12 before Hearing Officer Steven C. Langhoff, and recorded in  
13 machine shorthand by me.

14 IN WITNESS WHEREOF I have hereunto set my hand and affixed  
15 my Notarial Seal this 16th day of April A.D., 2002.

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Notary Public and  
Certified Shorthand Reporter and  
Registered Professional Reporter

CSR License No. 084-003677  
My Commission Expires: 03-02-2003

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