

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PROTECT WEST CHICAGO,)

Petitioner,)

v.)

CITY OF WEST CHICAGO, WEST)

CHICAGO CITY COUNCIL, and)

LAKESHORE RECYCLING SYSTEMS,)

LLC,)

Respondents)

PEOPLE OPPOSING DUPAGE)

ENVIRONMENTAL RACISM,)

Petitioner,)

v.)

CITY OF WEST CHICAGO and)

LAKESHORE RECYCLING SYSTEMS,)

Respondents.)

PCB No: 2023-107
(Pollution Control Facility Siting Appeal)

PCB No: 2023-109
(Third-Party Pollution Control Facility Siting Appeal)

NOTICE OF FILING

To: **See Attached Service List**

PLEASE TAKE NOTICE that on September 27, 2023, Protect West Chicago electronically filed with the Illinois Pollution Control Board, 60 E. Van Buren Street, Suite 630, Chicago, IL 60605, an original of the attached: *Motion To Admit Underlying Record*, copies of which are attached and served upon you.

Dated: September 27, 2023

Respectfully Submitted,



Ricardo Meza
Attorney for Protect West Chicago

Ricardo Meza
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CERTIFICATE OF SERVICE

I, Ricardo Meza, an attorney, certify that I have served the attached: *Motion To Admit Underlying Record*, on the below-named parties (Service List) by delivering the document to them via electronic mail on September 27, 2023 and via the PCB's Clerk's Office electronic filing system.



Ricardo Meza

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PROTECT WEST CHICAGO,)	
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Petitioner,)	
)	PCB No: <u>2023-107</u>
v.)	(Pollution Control Facility Siting Appeal)
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CITY OF WEST CHICAGO, WEST)	
CHICAGO CITY COUNCIL, and)	
LAKESHORE RECYCLING SYSTEMS,)	
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_____)	
PEOPLE OPPOSING DUPAGE)	
ENVIRONMENTAL RACISM,)	
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)	(Third-Party Pollution Control Facility
CITY OF WEST CHICAGO and)	Siting Appeal)
LAKESHORE RECYCLING SYSTEMS,)	
)	
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**PROTECT WEST CHICAGO’S
MOTION TO ADMIT UNDERLYING RECORD**

NOW COMES the Petitioner, Protect West Chicago, (“PWC”), by and through its attorney, Meza Law, and for its *Motion To Admit Underlying Record*, states as follows:

- 1) At the September 28, 2023 Public Hearing, Protect West Chicago does not intend to introduce all evidence in support of all allegations set forth in its Amended Petition, filed with the Illinois Pollution Control Board on April 14, 2023.
- 2) In light of the limited scope of the public hearing, and prior to calling its first witness, PWC thus moves to Admit the Underlying Record Before the Illinois Pollution Control Board.
- 3) For purposes of the Public Hearing, as well as to support the allegations set forth in PWC’s Amended Petition, PWC moves to admit the following:

Electronic Filing: Received, Clerk's Office 09/28/2023

- a) Document-107999 - West Chicago Certificate of Record and Index of Record of Proceedings;
- b) Document 10800: (C000001 through C003346);
- c) Document 108141: (C003347 through C006399);
- d) Document 108012: (Applicant-Exhibit-14 Video, PWC-Exhibit-700 LRS Unload video.mp4, PWC-Exhibit-701 Tarping video);
- e) Document 108025: (Protect West Chicago Exhibit #39 and Protect West Chicago Exhibit #51, both of which exhibits were attached as Exhibit A to the filing);
- f) Document 108557: (Lakeshore Recycling Responsive Documents);
- g) Document 108558: (Protect West Chicago Public Access Counselor Request); and,
- h) Document 108978 (Protect West Chicago's Notice of Supplemental Information – Attorney General's Public Access Counselor Request).

The above referenced documents will be referred to and/or discussed at either the public hearing of September 28, 2023, and/or in PWC's post-trial brief and/or its reply brief, in support of PWC's Amended Petition for hearing on and review of the decision of the City of West Chicago's City Council granting site location approval to Lakeshore Recycling Systems, LLC.

Dated: September 28, 2023

Respectfully Submitted,



Ricardo Meza
Attorney for Protect West Chicago

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