

ORIGINAL

CLERK'S OFFICE

MAR 7 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Pollution Control Board

Plaintiff,

No.: PCB

COUNTY OF KANKAKEE, a body politic and Corporate; KANKAKEE COUNTY BOARD; and Waste MANAGEMENT OF ILLINOIS, INC.,

**(Pollution Control Facility
Siting Appeal)**

Defendants,

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on February 28, 2003 there caused to be filed via U.S. Mail with the Illinois Pollution Control Board an original and 9 copies of the following document whic his attached hereto:

AMENDED PETITION FOR HEARING TO CONTEST SITE/LOCATION APPROVAL

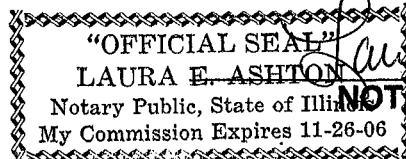
BY: Keith Runyon
Keith Runyon, Illinois Resident

STATE OF ILLINOIS)
COUNTY OF KANKAKEE)SS.

The undersigned, being first duly sworn, state that i served a true and correct copy of the forgoing Notice, together with a copy of each document referred to herein, upon persons(s) indicated at their address(es) indicated in the Service List by mailing the same in Bourbonnais, Il before the hour our of 5:00 p.m. on the 3rd. day of Mardh 2003.

SUBSCRIBED and SWORN TO Before me this 3rd. day of March 2003.

**Keith Runyon,
Kankakee County Resident
1165 Plum Creek Drive, Unit D.
Bourbonnais, IL 60914
Phone (815) 937 9838**



ORIGINAL

RECEIVED
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAR 7 2003

KEITH RUNYON

Plaintiff,

vs.

COUNTY OF KANKAKEE, a body politic
and Corporate: KANKAKEE COUNTY
BOARD; and WASTE MANAGEMENT OF
ILLINOIS, INC.,

Defendants.

STATE OF ILLINOIS
Pollution Control Board

No.: PCB 03-135

(Pollution Control Facility Siting
Appeal)

PETITION FOR HEARING TO CONTEST SITE LOCATION APPROVAL

Now comes Keith Runyon, represented by himself and respectfully requests a hearing to contest the decision of the Kankakee County Board (hereinafter "County Board") granting site location approval for a new regional pollution control facility. In support of this Petition, Petitioner Runyon states and alleges as follows:

1. This Petition is filed pursuant to section 40.1 of the Illinois Environmental Protection Act, (hereinafter the "Act") (415 ILCS 5/40.1).

2. On August 16, 2002, Waste Management of Illinois, Inc. (hereinafter "Waste Management") filed an Application with the County Board for a new regional pollution control facility immediately adjacent to its existing landfill.

3. On January 31, 2003, following service and publication of notice and public hearings conducted before the County Board, the County Board formally approved the siting request. A true and correct copy of the decision of the County Board is attached hereto and incorporated herein as exhibit "A".

4. Petitioner Keith Runyon, appeared and participated in the hearings held before the County Board as an objector to the request for siting approval.

5. Keith Runyon contests and objects to the County Board's siting approval because the siting process used by the County Board in reaching its decision for approval was against the manifest weight of the evidence as to Criteria viii as set forth with more particularity in Section 39.2 (a) of the Act:

Specifically, The County and Waste Management failed to comply with the County Board's, Solid Waste Management Plan,

(A) Which requires public participation in the selection of a site for a landfill; and,

(B) Which prohibits the siting of a landfill over a major aquifer; and,

(C) Requires a valid host fee agreement be in effect prior to siting a landfill.

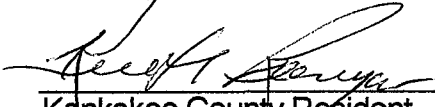
WHEREFORE, Keith Runyon, prays that the Board enter an Order:

A. Setting for hearing this contest of the County Board's Siting decision;

- B. Reversing the County Board's siting decision; and
- C. For such other relief as this Board deems equitable and just.

Respectfully Submitted,
Keith Runyon,

BY:


Kankakee County Resident

Keith Runyon
Kankakee County Resident
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