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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KEITH RUNYON

Petitioner,

v.

COUNTY OF KANKAKEE, COUNTY
BOARD OF KANKAKEE, AND WASTE
MANAGEMENT OF ILLINOISPCB 03-135
(Third-Party Pollution Control
Facility Siting Appeal)Consolidated with PCB 03-125, 03
133, 03-134KEITH RUNYON'S RESPONSE WASTE MANAGEMENT OF ILLINOIS
OBJECTIONS TO HIS INTERROGATORIES.

With the exception WMII's reply to Interrogatory No. 1. Its replies to Runyon's Interrogatories numbered (2) two through (9) nine are non-responsive.

All Interrogatories are appropriate to discover the communications, as defined in Runyon's Interrogatory petition, consistent with his filing which alleges that The County and Waste Management failed to comply with the County's Solid Waste Management plan and discovery of the complete information relating to the Public Comment statements entered into the Record by Lee Eddleman of Waste Management, on January 6, 2003 at approximately 1:54 P.M. and filed with the Kankakee County Clerk at the Office of the County Clerk. A copy of said document is attached.

Waste Management opened this avenue to discovery by its filing of said Statement in the Public Comment period at such a time as to provide no opportunity for discovery or cross examination.

RESPONSE TO WASTE MANagements GENERAL OBJECTIONS

1. Conclusion of Waste Managements objection is spurious.
"Petitioner has made no allegations of any specific instances of misconduct which would justify its broad and wide ranging interrogatories.

RESPONSE: Respondent claims that Waste Management and the County of Kankakee and the County Board of Kankakee acted collusively to circumvent the County's Solid Waste Management which calls for a valid (1) Host Fee Agreement, (2) Public input into the site selection of a pollution control facility, and (3) prohibition of a landfill over a major aquifer.

The point is very clear and needs no further explanation. The information is quite relevant to the petitioner's argument the Applicant and the County failed to comply with the County Solid Waste Management Plan which requires public participation in the site selection process for a new Pollution Control Facility.

INTERROGATORY NO. 6 OBJECTION: WMII incorporates is general objections as if fully set forth herein. WMII further objects to this Interrogatory because the phrase "clearly demonstrate and document" is vague and ambiguous"

RESPONSE: This response incorporates respondent's responses to WMII's general objections and the definition of "all person related" as stated in the previous responses. Further, this interrogatory could hardly be more specific. To make the point blatantly unambiguous, please present any type of document including site maps, engineering drawings, and hydro-geological surveys which indicate that the proposed Pollution Control Facility is not in whole or in part above a major aquifer as prohibited by the County Solid Waste Plan. This interrogatory is relevant to petitioners contention that the proposed facility was sited in contradiction to the Solid Waste Plan prohibiting siting a Facility above an aquifer.

INTERROGATORY NO. 7 OBJECTION: WMII incorporates its general objections as if fully set forth herein. WMII further objects to the Interrogatory as it seeks information and tangible items concerning individuals and entities other than WMII and not within WMII's possession or control.

RESPONSE: This response incorporates respondent's responses to WMII's general objections and the definition of "all person related" as stated in the previous responses. Waste Management is one of the parties to this alleged agreement and is fully aware of any approvals by the County Board of any addenda to the alleged Host Fee Agreement. It is therefore incumbent upon both parties to produce evidence of the allegedly valid agreement. This information is sought to demonstrate that the County does not have a valid Host Fee Agreement and did not have said valid agreement at the time of siting approval, which is direct contradiction of the Solid Waste Plan.

INTERROGATORY NO. 8 OBJECTION : WMII incorporates its general objections as if fully set forth herein. WMII further objects to this Interrogatory as it seeks information and tangible items concerning individuals and entities other than WMII, and not within WMII's possession or control.

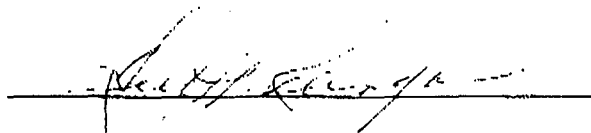
RESPONSE; This response incorporates respondent's responses to WMII's general objections and the definition of "all person related" as stated in the previous responses. Further, the alleged valid Host Fee Agreement specifically states that if Waste Management does not file an Application by June 2002 the County must consent to an extension period in writing for good cause. Since WMII would be the recipient of said letter of extension it is incumbent upon WMII to produce said letter if it has indeed received such a document from the city. This interrogatory goes to the proof that the County had no valid Host fee agreement at the time of siting.

INTERROGATORY NO. 9 OBJECTION: WMII incorporates its general objections as if fully set forth herein. WMII further objects to this Interrogatory as it seeks information and tangible items concerning individuals and entities other than WMII, and not within WMII's possession or control.

RESPONSE: This interrogatory seeks information about the Host Fee Committee and its members and their actions. To the extent that WMII and all persons related as defined previously had communication with the committee and its members, petitioner seeks such communication as received or delivered to the committee

Dated: April 13, 2003

Respectfully submitted,
Keith L. Runyon, Kankakee County Resident
Petitioner

A handwritten signature in dark ink, appearing to read "Keith L. Runyon", is written over a horizontal line.

Keith L. Runyon
1165 Plum Creek Drive, Unit D.
Bourbonnais, Il. 60914
815 937 9838.

AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty perjury under the laws of the United States of America, certifies that on April 14, 03 was served a copy of the foregoing was served upon via Facimile Transmission and by letter:

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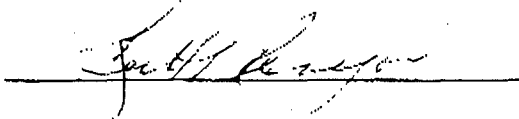
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By depositing a copy thereof, enclosed in an envelope in the United States Mail at Rockford, Illinois, proper postage prepaid, before the hour of 5:00 P.M., addressed as above.

A handwritten signature in dark ink, appearing to read "Keith Runyon", is written over a horizontal line.

Keith Runyon
1165 Plum Creek Dr. Unit D.
Bourbonnais, IL 60914
815 937 9838