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OCT 30 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 JERSEY SANITATION CORPORATION,)
 an Illinois corporation,)
)
 Respondent.)

STATE OF ILLINOIS
Pollution Control Board

PCB 97-2
(Enforcement)

RESPONDENT'S SUPPLEMENTAL OPINION DISCLOSURE

NOW COMES Respondent, JERSEY SANITATION CORPORATION (hereinafter "Jersey") through its undersigned attorney, and discloses the following supplemental opinions of Bradley Hunsberger and Kenneth Liss, made in response to the Complainant's new opinions first disclosed during or just prior to the hearing in this matter on September 23 and/or September 24, 2003. Although no Board or Hearing Officer order exists or has been entered requiring this disclosure, Respondent submits it in the spirit of cooperation, and in the hopes that it will expedite Complainant's discovery and review of the information possessed by these witnesses, reserving the right to modify, clarify or supplement, as may be necessary. For this supplemental disclosure, Respondent states as follows:

Opinion Disclosures

A. Bradley Hunsberger

(1) Mr. Hunsberger will describe and explain his professional experience and background, including education, continuing professional education, professional affiliations, and work history. He will identify specific experience he has had with groundwater issues and geologic and hydrogeologic evaluations at and near landfills.

(2) Mr. Hunsberger will discuss his knowledge of the Jersey Sanitation and surrounding sites.

(3) Opinions: Mr. Hunsberger will testify that he has reviewed and considered Complainant's Exhibit No. 16 (a memorandum dated September 19, 2003 by Karen Nelsen), and has considered the record documentation relied upon by Karen Nelsen and in Complainant's Exhibit No. 16, as well as the testimony given at hearing in this matter (and especially that of Karen Nelsen), and based upon that information, and upon his professional experience and knowledge generally, and particularly his experience and knowledge with respect to the Jersey Sanitation landfill site and nearby property, he will state his opinions that:

(a) The opinion expressed in Complainant's Exhibit No. 16 and Karen Nelsen's testimony that G103 "[d]oes not appear to be an upgradient well, possibly is downgradient; is monitoring a deeper groundwater zone that [sic] the downgradient wells," is erroneous, and to the extent not erroneous is irrelevant to any issue pertaining to the appropriateness of the monitoring well layout or position and screening of the upgradient monitoring well or to the reliability of data generated by the monitoring well system.

(b) G103 is providing information that is reliable and acceptable for the purposes it is intended to serve.

(c) No reason or rationale exists to replace or to perform evaluations upon G103, or upon any other component of the Jersey Sanitation groundwater monitoring system.

B. Kenneth Liss

(1) Mr. Liss will describe and explain his professional experience and background, including education, continuing professional education, professional affiliations, and work experience. He will identify specific experience he had had with groundwater issues and geologic and hydrogeologic evaluations at landfills, and evaluations of groundwater data for identification of groundwater impacts and trends.

(2) Mr. Liss will identify and discuss information known about Jersey Sanitation groundwater, including information relied upon by Karen Nelson.

(3) Opinions: Mr. Liss will testify that he has reviewed and considered Complainant's Exhibit No. 16, as well as more recent additions and versions of that Exhibit (including Complainant's Exhibit No. 20), and the testimony given at hearing in this matter (and especially that of Karen Nelsen), and has considered the record documentation relied upon by Karen Nelson and in Complainant's Exhibits No. 16 and 20, and based upon that information, and upon his professional experience and knowledge generally, and particularly his experience and knowledge with respect to the information obtained from the Jersey Sanitation Landfill groundwater system and nearby property, he will state his opinions that:

(A) The assertion in Complainant's Exhibit No. 16 that groundwater at G104 and G105 "has worsened" is erroneous and unfounded.

(B) Available data does not support the contention that groundwater at Jersey Sanitation landfill, including that at G104 and G105, has “worsened.”

(C) No data supports the contention that water at Jersey Sanitation landfill, including that at G104 and G105, has degraded, or that a trend toward degradation exists, has been revealed, or can be demonstrated.

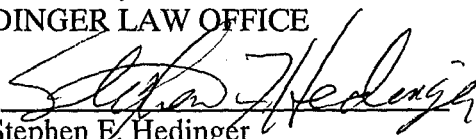
(D) No “trend,” as that term is used with respect to groundwater quality or constituents at and near landfills in Illinois, is believed to be developing at Jersey Sanitation landfill.

(E) Even if a trend is developing such as that suggested by Karen Nelson, the appropriate action in response would simply be to maintain current monitoring.

(F) No danger to human health or the environment is exhibited by the information included in or reviewed for purposes of Complainant’s Exhibit No. 16.

Respectfully submitted,

JERSEY SANITATION CORPORATION,
Respondent,
By its attorneys
HEDINGER LAW OFFICE

By: 
Stephen F. Hedinger

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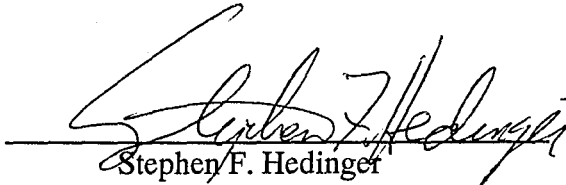
NOTICE OF FILING AND PROOF OF SERVICE

The undersigned certifies that an original and three copies of the foregoing Respondent's Supplement Opinion Disclosure were served upon the Clerk of the Illinois Pollution Control Board, and one copy to each of the following parties of record in this cause, before 5:30 p.m. on this 28th day of October, 2003, as indicated below.

Dorothy Gunn, Clerk
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