

## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BYRON SANDBERG, )

) Petitioner, )

) vs. )

) Case No. PCB 04-33

) CITY OF KANKAKEE, ILLINOIS, THE )  
) CITY OF KANKAKEE, ILLINOIS CITY )  
) COUNCIL, TOWN AND COUNTRY )  
) UTILITIES, INC., and KANKAKEE )  
) REGIONAL LANDFILL, LLC., )

) Respondents )

-----  
WASTE MANAGEMENT OF ILLINOIS, )  
INC., )

) Petitioner, )

) vs. )

) Case No. PCB 04-34

) THE CITY OF KANKAKEE, ILLINOIS )  
) CITY COUNCIL, TOWN AND COUNTRY )  
) UTILITIES, INC. and KANKAKEE )  
) REGIONAL LANDFILL, LLC., )

) Respondents )

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COUNTY OF KANKAKEE, ILLINOIS )  
And EDWARD D. SMITH, KANKAKEE )  
COUNTY STATE'S ATTORNEY, )

) Petitioners, )

) vs. )

) Case No. PCB 04-35

) CITY OF KANKAKEE, ILLINOIS, THE )  
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) COUNCIL, TOWN AND COUNTRY )  
) UTILITIES, INC., and KANKAKEE )  
) REGIONAL LANDFILL, LLC., )

) Respondents )

**NOTICE OF FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that on November 26, 2003 there caused to be filed via U.S. Mail and with the Illinois Pollution Control Board an original and 9 copies of the following document, a copy of which is attached hereto:

**City of Kankakee's List of Witnesses**

Respectfully submitted,

The City of Kankakee

By:

  
Attorney for City of Kankakee

Prepared by:  
L. Patrick Power #2244357  
Corporate Counsel  
956 North Fifth Ave.  
Kankakee, IL 60901  
(815) 937-6937

AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on November 26, 2003, a copy of the foregoing **City of Kankakee's List of Witnesses** was served upon:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James Thompson Center  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601-3218

Richard S. Porter  
Attorney at Law  
P.O. Box 1389  
Rockford, IL 61105-1389  
Fax: (815) 963-9989

Kenneth Leshen  
One Dearborn Square, Suite 550  
Kankakee, IL 60901  
(815) 933-3385  
(815) 933-3397 Fax

George Mueller  
Attorney at Law  
501 State Street  
Ottawa, IL 61350  
(815) 261-2149  
(815) 433-4913 Fax

Brad Halloran, Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601-3218  
Fax: (312) 814-3669

Anjanita Dumas, Clerk  
City of Kankakee  
385 E. Oak St.  
Kankakee, IL 60901

Donald J. Moran  
Attorney at Law  
161 N. Clark, Suite 3100  
Chicago, IL 60601  
(312) 261-2149  
(312) 261-1149 Fax

Elizabeth Harvey, Esq.  
One IBM Plaza, Suite 2900  
330 N. Wabash  
Chicago, IL 60611  
(312) 321-9100  
(312) 321-0990 Fax

Christopher Bohlen  
Barmann, Kramer & Bohlen, PC  
200 E. Court St., Suite 602  
P. O. Box 1787  
Kankakee, IL 60901

Edward Smith  
Kankakee County Administration Bldg.  
189 E. Court St.  
Kankakee, IL 60901  
(815) 937-3932 Fax

Byron Sandberg  
109 Raub St.  
Donovan, IL 60931  
[byronsandberg@starband.net](mailto:byronsandberg@starband.net)

Claire A. Manning  
Posegate & Denes, PC  
111 N. Sixth Street  
Springfield, IL 62705  
(217) 522-6184 Fax

By depositing a copy thereof, enclosed in an envelope in the United States Mail at Kankakee, Illinois, proper postage prepaid, before the hour of 6:00 p.m., on 26<sup>th</sup> day of November 2003, addressed as above.

SUBSCRIBED AND SWORN TO before me this 26<sup>th</sup> day of November 2003.

Notary Public

OF ILLINOIS  
EX 5-30-2005

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

BYRON SANDBERG, )  
)  
Petitioner, )  
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vs. )  
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CITY OF KANKAKEE, ILLINOIS, THE )  
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Respondents )

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vs. )  
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REGIONAL LANDFILL, LLC., )  
)  
Respondents )

Case No. PCB 04-35

**CITY OF KANKAKEE'S LIST OF WITNESSES**

NOW COMES, the CITY OF KANKAKEE, by its attorneys, Christopher Bohlen,  
Kenneth Leshen and L. Patrick Power, and submits its list of witnesses as follows:

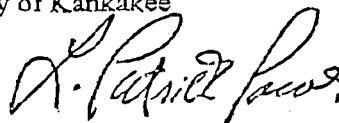
1. Christopher Bohlen  
200 E. Court St., Suite 502  
P. O. Box 1787  
Kankakee, IL 60901

Dated: November 26, 2003.

Respectfully submitted,

City of Kankakee

By:



L. Patrick Power  
One of It's Attorneys

Prepared by:  
L. Patrick Power #2244357  
Assistant City Attorney  
956 N. Fifth Ave.  
Kankakee, IL 60901  
(815) 937-6937

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) Respondents )

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**City of Kankakee's List of Exhibits**

Respectfully submitted,

The City of Kankakee

By:

  
Attorney for City of Kankakee

Prepared by:  
L. Patrick Power #2244357  
Corporate Counsel  
956 North Fifth Ave.  
Kankakee, IL 60901  
(815) 937-6937

AFFIDAVIT OF SERVICE

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James Thompson Center  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601-3218

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Attorney at Law  
P.O. Box 1389  
Rockford, IL 61105-1389  
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Kenneth Leshen  
One Dearborn Square, Suite 550  
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Barmann, Kramer & Bohlen, PC  
200 E. Court St., Suite 602  
P. O. Box 1787  
Kankakee, IL 60901

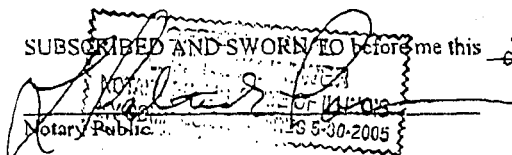
Edward Smith  
Kankakee County Administration Bldg.  
189 E. Court St.  
Kankakee, IL 60901  
(815) 937-3932 Fax

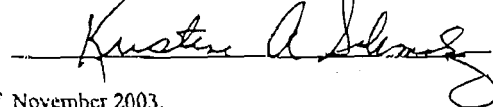
Byron Sandberg  
109 Raub St.  
Donovan, IL 60931  
[byronsandberg@starband.net](mailto:byronsandberg@starband.net)

Claire A. Manning  
Posegate & Dencs, PC  
111 N. Sixth Street  
Springfield, IL 62705  
(217) 522-6184 Fax

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SUBSCRIBED AND SWORN TO before me this 26<sup>th</sup> day of November 2003.

  
Notary Public





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REGIONAL LANDFILL, LLC., )

Respondents )

**CITY OF KANKAKEE'S LIST EXHIBITS**

NOW COMES, the CITY OF KANKAKEE, by its attorneys, Christopher Bohlen, Kenneth Leshen and L. Patrick Power, and submits its list of Exhibits as follows:

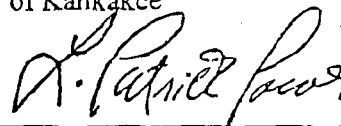
1. All documentation provided by the City of Kankakee as part of discovery procedure.
2. The record of previous City of hearings.

Dated: November 26, 2003.

Respectfully submitted,

City of Kankakee

By:



L. Patrick Power

One of It's Attorneys

Prepared by:  
L. Patrick Power #2244357  
Assistant City Attorney  
956 N. Fifth Ave.  
Kankakee, IL 60901  
(815) 937-6937

# *Fax*

**RECEIVED**  
CLERK'S OFFICE

NOV 26 2003

STATE OF ILLINOIS  
*Pollution Control Board*

Please deliver immediately to: Brad Halloran

of: IPCB

Fax number: 1-312-814-3669

Voice number:

Fax received from: L. Patrick Power

of:

Fax number: 815-937-0056

Voice number: 815-937-6937

Date: 11/26/03

Time: 11:56:27 AM

Number of Pages: 11

Subject: IPCB 04-33

# *Message:*