

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ENVIRONMENTAL RECYCLING AND)	
DISPOSAL SERVICES, INC.)	
)	
Petitioner,)	PCB No. 16-76
)	
v.)	
)	
WILL COUNTY, ILLINOIS, WILL COUNTY)	
BOARD, WASTE MANAGEMENT OF)	
ILLINOIS, INC.)	
)	
)	
Respondents.)	

NOTICE OF FILING

To: See attached Service List.

PLEASE TAKE NOTICE that on June 17, 2016, I filed with the Illinois Pollution Control Board, **First Amended Petition for Review of Decision of the Will County Board of Will County, Illinois**, a copy of which is attached hereto and herewith served upon you.

Dated: June 17, 2016

Respectfully Submitted,

ENVIRONMENTAL RECYCLING AND
DISPOSAL SERVICES, INC.

By:  _____
George Mueller, Attorney

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FIRST AMENDED PETITION FOR REVIEW OF DECISION OF THE WILL COUNTY BOARD OF WILL COUNTY, ILLINOIS

NOW COMES the Petitioner, Environmental Recycling and Disposal Services, Inc., by its attorneys, Mueller Anderson & Associates, and hereby petitions the Illinois Pollution Control Board (“PCB”) to review the decision of the County Board of Will County, Illinois (“County Board”) granting site location approval to Waste Management of Illinois, Inc. (“WMII” or “Applicant”) for site location approval for expansion of the Laraway Recycling and Disposal facility, located in Will County, Illinois. In support hereof ERDS states as follows:

1. This Petition is filed pursuant to Section 40.1 of the Illinois Environmental Protection Act, 415 ILCS 5/40.1 (“Act”), in accordance with Sections 107.200 through 107.208 of the PCB procedural rules, 35 Ill. Admin. Code §§ 107.200-.208.
2. On July 10, 2015, WMII filed an application for siting approval (“application”) with Will County Illinois, requesting approval for expansion of the Laraway Recycling and Disposal Facility located in Will County, Illinois.
3. Public hearings on the application were held in October of 2015.

4. ERDS appeared and participated in the public hearings, filing motions, cross-examining witnesses and submitting proposed findings. ERDS owns and operates a waste hauling company in Will County, Illinois and ERDS has local siting approval for a solid waste transfer station in Rockdale, Illinois, located in close proximity to the Laraway Recycling and Disposal facility. ERDS has vehicles that operate on the same roadway network that will be impacted by the expansion of the Laraway Recycling and Disposal facility.
5. On December 17, 2015, the Will County Board conditionally approved the application. A copy of the resolution of the County Board granting such conditional approval is attached hereto and made a part hereof as Exhibit A (previously filed).
6. The County Board's conditional approval in the manner employed by the County Board did not authorize Section 39.2 of the Act.
7. The County Board's decision was against the manifest weight of the evidence and as to statutory siting criteria i (need), ii (public health, safety and welfare) and vi (traffic).

WHEREFORE, ERDS requests that PCB enter an order:

- a. Setting for a hearing this contest of the County Board's siting decision,
- b. Reversing the County Board's siting approval decision.

Respectfully submitted,

On behalf of ENVIRONMENTAL RECYCLING
AND DISPOSAL SERVICES, LLC

By: 

George Mueller, Attorney

Dated: June 16, 2016

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