

ILLINOIS POLLUTION CONTROL BOARD
November 5, 2009

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 09-56
)	(IEPA No. 136-09-AC)
GARY J. and JAMES R. SZCZEBLEWSKI,)	(Administrative Citation)
)	
Respondents.)	

HEARING REPORT

On November 4, 2009, a hearing in this matter was held at Benton City Hall in Franklin County. Attorney Michelle Ryan appeared on behalf of the complainant. Attorney Gary Szczeblewski appeared on behalf of the respondents.

Witness Credibility

3 witnesses testified during the hearing:

- Ms. Maggie Stevenson
- Ms. Robyn Hammonds
- Mr. James Szczeblewski

Exhibits

An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order. Respondents objected to complainant’s exhibits 2-4. Respondents’ exhibits 1 and 2 were not photographs of the site, but were offered as examples of clean construction debris. Respondents’ exhibits were not admitted, but were accepted as an offer of proof.

Briefing Schedule

The Board expects to receive the hearing transcript by November 17, 2009. The public comment deadline is November 18, 2009. Complainant’s brief is due by December 8, 2009. Respondent’s brief is due by January 11, 2010. Complainant’s reply, if any, is due by January 19, 2010.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
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AC 09-56
November 4, 2009 Hearing

Exhibit List

Exhibit	Description	Status
Complainant's Exhibit #1	Inspection report dated June 11, 2009	Admitted
Complainant's Exhibit #2	Warning notice to respondents	Admitted
Complainant's Exhibit #3	Letter from respondents to complainant dated April 30, 2009	Admitted
Complainant's Exhibit #4	Letter from complainant to respondents dated May 27, 2009	Admitted
Respondents' Exhibit #1	Photo of construction debris (not taken at site)	Not Admitted
Respondents' Exhibit #2	News article pertaining to construction debris in general	Not Admitted

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on November 5, 2009, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on November 5, 2009:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601



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AC 2009-056
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AC 2009-056
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