

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>AQUA ILLINOIS, INC.,</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>PCB 2023-012</b>
	)	<b>(Permit Appeal - Water)</b>
<b>ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,</b>	)	
	)	
Respondent.	)	
	)	

**NOTICE OF FILING**

To: Don Brown Clerk of the Board Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Don.Brown@illinois.gov	Ann Marie A. Hanohano Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 annmarie.hanohano@ilag.gov
Brad Halloran Hearing Officer Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Brad.Halloran@illinois.gov	Christopher Grant Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Christopher.Grant@ilag.gov
Kathryn A. Pamenter Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Kathryn.Pamenter@ilag.gov	

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S REQUEST TO CANCEL**

**OR RESCHEDULE HEARING** and **CERTIFICATE OF SERVICE**, copies are which are herewith served upon you.

Dated: September 26, 2022

/s/ Sarah L. Lode  
One of its Attorneys

Daniel J. Deeb  
Alex Garel-Frantzen  
Sarah L. Lode  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5500  
Dan.Deeb@afslaw.com  
Alex.Garel-Frantzen@afslaw.com  
Sarah.Lode@afslaw.com

*Attorneys for Aqua Illinois, Inc.*

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>AQUA ILLINOIS, INC.,</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>PCB 2023-012</b>
	)	<b>(Permit Appeal - Water)</b>
<b>ILLINOIS ENVIRONMENTAL</b>	)	
<b>PROTECTION AGENCY,</b>	)	
	)	
Respondent.	)	
	)	

**PETITIONER’S  
REQUEST TO CANCEL OR RESCHEDULE HEARING**

Petitioner Aqua Illinois, Inc. (“Aqua”), by and through its counsel, ArentFox Schiff, LLP, respectfully moves that the hearing for this matter scheduled to begin on September 28, 2022, be canceled or rescheduled. In support of this motion, Aqua states as follows:

1. Much has happened in the last three business days – Aqua took its final deposition on September 21<sup>st</sup>, the Illinois Pollution Control Board (the “Board”) issued its decision on several pending motions on September 22<sup>nd</sup>, and Respondent filed the full record including materials not previously provided on September 23<sup>rd</sup>.

2. In light of the aforementioned recent events, Aqua does not intend to call any witnesses at hearing for direct examination.<sup>1</sup>

3. In other words, in light of recent events, Aqua does not see a need for a hearing before the Board and requests that it be canceled and that the parties be directed to proceed to dispositive briefing in accordance with the existing case schedule.

---

<sup>1</sup> Aqua reserves the right to call witnesses in rebuttal to the testimony of any witnesses called by Respondent and to cross-examine any witnesses called by Respondent.

4. Alternatively, in the event Respondent wishes to proceed to hearing and call witnesses, Petitioner asks that the hearing be rescheduled to afford Aqua time to (a) review the newly filed complete administrative record, which includes 21 pages of new material that were never before included in the record, (b) submit requests for production to Respondent seeking additional documents mentioned in depositions of Mr. Cook, Mr. Brown, and Mr. Sofat, including, for example, notes taken by representatives of Respondent during meetings concerning the 2022 Permit, and (c) resolve discovery disputes regarding testimony of Mr. Roubitchek of the Illinois EPA to the extent Respondent intends to call him as a witness.<sup>2</sup> Petitioner believes its cross-examination of any witness called by Respondent would be materially prejudiced should the hearing not be rescheduled at this time.

5. If the alternative request of paragraph 4 of this motion is granted, Aqua would provide a further waiver of the decision deadline into at least March 2023 to allow for the events mentioned in that paragraph 4 to be completed. Aqua would not seek to issue subpoenas for hearing testimony of Illinois EPA witnesses in connection with a rescheduled hearing.

---

<sup>2</sup> As is made clear from the attached transcript of Mr. Roubitchek's deposition received after close of business on Friday, he was instructed not to and did not answer all or nearly all substantive questions on the basis of Respondent's view of the attorney client privilege. *See* Transcript of Deposition of Michael Roubitchek (Sept. 21, 2022), attached hereto as Exhibit A. Aqua submits that, in refusing to provide answers at deposition, Respondent failed to prove the existence of the attorney client privilege as required by *KCBX Terminals Co. v. IEPA*, PCB No. 14-110, 2014 WL 1398644, at \*6 (Apr. 8, 2014) ("The party claiming attorney-client privilege must prove the following elements: '(1) [w]here legal advice of any kind is sought (2) from a professional legal advisor in his capacity as such, (3) the communications relating to that purpose, (4) made in confidence, (5) by the client, (6) are at his instance permanently protected, (7) from disclosure by himself or by the legal advisor, (8) except the protection be waived.'"); *IEPA v. Celotex Corp.*, PCB No. 79-145, 1984 Ill. ENV. LEXIS 568, at \*6 (Dec. 6, 1984). The Agency did not argue that any of the elements necessary to establishing attorney-client privilege existed, nor did it provide any evidence specific to the requested production that could be evaluated under these elements.

For the foregoing reasons, Aqua respectfully requests that the Board cancel the hearing set to begin on September 28, or, in the alternative, reschedule that hearing to allow the events mentioned in paragraph 4 to be completed.

Respectfully submitted,

Aqua Illinois, Inc.

Dated: September 26, 2022

/s/ Daniel J. Deeb  
One of its Attorneys

Daniel J. Deeb  
Alex Garel-Frantzen  
Sarah L. Lode  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5500  
Dan.Deeb@afslaw.com  
Alex.Garel-Frantzen@afslaw.com  
Sarah.Lode@afslaw.com

*Attorneys for Aqua Illinois, Inc.*

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 26th day of September, 2022:

I have electronically served a true and correct copy of Petitioner's Request to Cancel or Reschedule Hearing, by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the following persons:

To: Don Brown Clerk of the Board Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Don.Brown@illinois.gov	Ann Marie A. Hanohano Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 annmarie.hanohano@ilag.gov
Brad Halloran Hearing Officer Illinois Pollution Control Board 60 E. Van Buren St. Suite 630 Chicago, IL 60605 Brad.Halloran@illinois.gov	Christopher Grant Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Christopher.Grant@ilag.gov
Kathryn A. Pamenter Senior Assistant Attorney General Environmental Bureau Office of the Illinois Attorney General 69 W. Washington St., 18th Floor Chicago, IL 60602 Kathryn.Pamenter@ilag.gov	

My e-mail address is Sarah.Lode@afslaw.com.

The number of pages in the e-mail transmission is 38.

The e-mail transmission took place before 5:00 p.m.

/s/ Sarah L. Lode

Sarah L. Lode

Dated: September 26, 2022

Daniel J. Deeb  
Alex Garel-Frantzen  
Sarah L. Lode  
ARENTFOX SCHIFF LLP

233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5500  
Dan.Deeb@afslaw.com  
Alex.Garel-Frantzen@afslaw.com  
Sarah.Lode@afslaw.com

*Attorneys for Aqua Illinois, Inc.*

CH2:26385095.1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AQUA ILLINOIS, INC., )

)

Petitioner, )

)

vs. ) No. PCB 2023-012

)

(Permit Appeal-Water)

ILLINOIS ENVIRONMENTAL )

PROTECTION AGENCY, )

)

Respondent. )

TRANSCRIPT OF ZOOM TELECONFERENCE PROCEEDINGS  
had in the above-entitled cause on the 21st day of  
September, A.D. 2022, at 2:00 o'clock p.m.



Page 2

1 REMOTE APPEARANCES:  
2 ARENTFOX SCHIFF, LLP  
3 233 South Wacker Drive  
4 Suite 7100  
5 Chicago, Illinois 60606  
6 312-258-5500  
7 BY: MR. ALEX GAREL-FRANTZEN  
8 alex.garel-frantzen@afslaw.com  
9  
10 appeared on behalf of the Petitioner;  
11  
12 OFFICE OF THE ILLINOIS ATTORNEY GENERAL  
13 69 West Washington Street  
14 Chicago, Illinois 60602  
15 773-590-7824  
16 BY: MS. ANNMARIE HANOHANO  
17 annmarie.hanohano@ilag.gov  
18  
19 appeared on behalf of the Respondent.  
20 ALSO PRESENT: JERRY CURRAN - THE CONCIERGE  
21 AMANDA KIMMEL  
22 CHRISTOPHER GRANT  
23 REPORTED BY: TRUDY G. GORDON, C.S.R.  
24 CERTIFICATE NO. 084-004077

Page 3

1 I N D E X  
2 WITNESS PAGE  
3 MICHAEL ROUBITCHEK  
4 EXAMINATION BY MR. GAREL-FRANTZEN..... 6  
5  
6 E X H I B I T S  
7 DEPOSITION EXHIBITS DESCRIPTION PAGE  
8 EXHIBIT NO. 1 ADMINISTRATIVE RECORD 48  
9 EXHIBIT NO. 2 DR. EDWARDS' PRESENTATION 51  
10 JULY 2021  
11 EXHIBIT NO. 3 DR. EDWARDS' PRESENTATION 14  
12 OCTOBER 29, 2021  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

Page 4

1 THE REPORTER: Due to the need for this  
2 deposition to take place remotely, the parties will  
3 stipulate that the court reporter may swear in the  
4 witness over videoconference.  
5 Please indicate your agreement by stating  
6 your name and agreement on the record beginning with  
7 the noticing attorney.  
8 MR. GAREL-FRANTZEN: My name is Alex  
9 Garel-Frantzen of ArentFox Schiff, and I'm here on  
10 behalf of Aqua Illinois. I stipulate to the swearing  
11 of the witness remotely.  
12 MS. HANOHANO: This is AnnMarie Hanohano with  
13 the Attorney General's Office on behalf of  
14 Respondent, and I agree as well.  
15 (WHEREUPON, THE WITNESS WAS DULY  
16 SWORN.)  
17 MS. HANOHANO: The witness' attendance at this  
18 deposition does not constitute a waiver of  
19 Respondent's pending; one, motion to dismiss the  
20 Permit Appeal as to additional Condition No. 6 filed  
21 on August 2, 2022; two, motion to dismiss the Permit  
22 Appeal as to additional Condition No. 3 filed on  
23 August 8, 2022; three, motion for permission to file  
24 reply to Petitioner's memorandum in response in

Page 5

1 opposition to Respondent's motion to dismiss the  
2 Permit Appeal as to additional Condition No. 6 filed  
3 on August 22, 2022; four, motion for permission to  
4 supplement reply to Petitioner's memorandum in  
5 response in opposition to Respondent's motion to  
6 dismiss the Permit Appeal as to additional Condition  
7 No. 6 filed on August 30, 2022; and, five, motion to  
8 dismiss the Permit Appeal as to additional Condition  
9 Nos. 4 and 5 as moot filed on August 31, 2022. In  
10 addition, Respondent is in receipt of the Hearing  
11 Officer order dated September 19, 2022 and reserves  
12 all rights as to the record on appeal. Thank you.  
13 MR. GAREL-FRANTZEN: Thank you.  
14 Good morning, Mr. Roubitchek.  
15 THE WITNESS: Morning.  
16 MR. GAREL-FRANTZEN: Could you please state your  
17 full name and spell it for the record.  
18 THE WITNESS: Michael Roubitchek,  
19 R-O-U-B-I-T-C-H-E-K.  
20 MR. GAREL-FRANTZEN: Thank you.  
21  
22  
23  
24

Page 6

1 MICHAEL ROUBITCHEK,  
2 called as a witness herein, having been first duly  
3 sworn, was examined and testified as follows:  
4 EXAMINATION  
5 BY MR. GAREL-FRANTZEN:  
6 Q. I see that you have a few documents in  
7 front of you.  
8 Could you please identify what it is in  
9 front of you?  
10 A. It's a blank notepad.  
11 Q. Do you have anything else in front of you?  
12 A. A pen and some water.  
13 Q. I'd like to go over some ground rules with  
14 you before we begin, although I'm sure that you are  
15 familiar with all of them. I ask that you provide  
16 audible responses to my questions. We have a court  
17 reporter here taking down all of my questions and all  
18 of your testimony. It's important that only one  
19 person speaks at a time so that we have a clear  
20 record. I'll do my best not to interrupt you when  
21 you're giving an answer, and I ask that you do your  
22 best not to interrupt me while I'm asking a question.  
23 Please ask for clarification if you don't understand  
24 one of my questions. If you don't ask me to clarify,

Page 7

1 I will assume you understood. Please also let me  
2 know if you need a break. I just ask that we have  
3 all pending questions answered before we take that  
4 break.  
5 Do you understand that you are testifying  
6 here today under oath?  
7 A. Yes.  
8 Q. And do you understand each of the  
9 instructions that I have provided as ground rules?  
10 A. Yes.  
11 Q. Are there any issues that would interfere  
12 with your ability to provide truthful and accurate  
13 testimony today?  
14 A. No.  
15 Q. Have you ever been deposed before?  
16 A. No.  
17 Q. Do you have any questions before we begin?  
18 A. Nope. Let's start.  
19 Q. What did you do to prepare for this  
20 deposition?  
21 A. I spoke with counsel.  
22 Q. Who did you speak with?  
23 A. Counsel would include over here at the  
24 Illinois EPA would include Amanda Kimmel. At the

Page 8

1 Attorney General's Office, it would include Katy  
2 Pamenter, Steve Sylvester, Chris Grant, and AnnMarie  
3 Hanohano.  
4 Q. When did you meet with them?  
5 A. Yesterday.  
6 Q. For about how long did you meet?  
7 A. I'd say about an hour.  
8 Q. And did you review any documents during  
9 that meeting?  
10 A. I believe I had with me the amended record  
11 as well as the 2021 Permit.  
12 Q. Thank you.  
13 Had you seen those documents before?  
14 A. Yes.  
15 Q. Did you see any documents that you hadn't  
16 seen prior to that meeting?  
17 A. No.  
18 Q. Did you have any other meetings in  
19 preparation for this deposition other than the one  
20 you just identified?  
21 A. No.  
22 Q. What is your educational background?  
23 A. I graduated with a Bachelor of Science in  
24 Public and Environmental Affairs from Indiana

Page 9

1 University in 1998 and a Juris Doctorate from the  
2 Chicago Kent College of Law in 2001.  
3 Q. That's great.  
4 What did you do after graduating from  
5 Kent?  
6 A. I took and passed the bar exam, and then I  
7 started a legal career.  
8 Q. And where did you first work as part of  
9 your legal career?  
10 A. While waiting for a job with the Illinois  
11 EPA, I did a brief part-time legal job with a small  
12 real estate law firm in Chicago. That would have  
13 been in late -- late 2001, and then started at the  
14 Illinois EPA in March of 2002.  
15 Q. And what position did you assume in the  
16 Illinois EPA when you joined in 2002?  
17 A. In March of 2002 through about mid-2008 I  
18 was an assistant counsel working on Bureau of Land  
19 enforcement matters.  
20 Q. And what were your general  
21 responsibilities in that position?  
22 A. So an assistant counsel. Basically the  
23 same as a staff attorney. We referred enforcement  
24 cases to the Attorney General's Office or USEPA and

<p style="text-align: right;">Page 10</p> <p>1 provided of consult type of assistance and legal 2 counsel at that point to the Bureau of Land. 3 Q. And what types of enforcement matters 4 would you be referring? 5 A. Again, I was the enforcement attorney for 6 the Bureau of Land. So that runs the gamut from 7 basic open dumping cases through oil refineries, 8 through super fun site. Any variety of cases that 9 will come up in that context. 10 Q. And in 2008 what role did you transition 11 to at the Agency? 12 A. I actually left the Agency in 2008 and 13 joined the law firm of Godfrey &amp; Kahn in Milwaukee, 14 Wisconsin, and I was there through mid-2011 before 15 returning to the Agency. 16 Q. What did you do at Godfrey &amp; Kahn? 17 A. I was an attorney with the Environmental 18 and Energy Section at that law firm. 19 Q. And what did your practice generally 20 consist of? 21 A. It was a wide variety of issues but mainly 22 dealt with compliance assistance for companies on 23 their environmental or energy matters. We also did 24 quite a lot of work in grant -- helping clients</p>	<p style="text-align: right;">Page 12</p> <p>1 A. So I managed a team of four attorneys who 2 do Bureau of Water enforcement cases, and based on 3 the type of cases and staffing issues I have, I still 4 have a -- I have cases that I individually handle as 5 well. 6 Q. What types of -- Do you do any cases with 7 Public Water Supply Systems? 8 A. Yes. 9 Q. What types of cases would you do with PWS' 10 for short? 11 A. So again that kind of -- that's a wide 12 variety of issues that could come up, whether it's 13 violation of maximum contaminant levels or treatment 14 techniques or sampling requirements, unsafe sources. 15 It's just -- You know, there's -- It's all -- Any 16 enforcement matter that gets through the procedural 17 process and is ready for referral to the Attorney 18 General's Office, whether it's public water or waste 19 water, it would come through us. 20 Q. And then what are your roles then in the 21 cases? 22 A. As a manager or as a attorney handling the 23 case? 24 Q. As a manager first.</p>
<p style="text-align: right;">Page 11</p> <p>1 obtain grant funding for renewable energy projects. 2 Q. And then when you returned to the IEPA in 3 2011, what position did you take? 4 A. When I came back in 2011, I was an 5 assistant counsel again, but this time with the 6 Bureau of Water enforcement unit, and stayed in that 7 role till about May of 2020. 8 Q. And so what were your general 9 responsibilities in -- as assistant counsel for 10 Bureau of Water? 11 A. So similar I performed that same function 12 in the Bureau of Land was to refer water-related 13 enforcement cases to the Attorney General's Office 14 for USEPA which could include your waste water or 15 drinking water and provide other types of consult to 16 the Bureau of Water as needed. 17 Q. And what was your next position in 2020? 18 A. In around -- Around May of 2020 I became 19 Acting Deputy General Counsel focusing on water 20 enforcement, and then that job became official, I 21 believe it was, around August of 2020, and I'm in 22 that role at the present. 23 Q. And what is your responsibilities in that 24 role -- what are your responsibilities?</p>	<p style="text-align: right;">Page 13</p> <p>1 A. As a manager I'm basically overseeing -- 2 If one of my attorneys refers a case, then I'm there, 3 you know, to consult on any issues, to give them 4 assistance, and also to serve as a liaison between 5 them and upper management. 6 Q. And then what about when you're handling 7 the case? 8 A. If I was handling the case on my own, it 9 would be basically similar to being a staff attorney. 10 You know, we're responsible for packaging the case 11 and referring it to a prosecutorial authority, and 12 then being the point person and liaison between, say, 13 the Attorney General's Office and the Bureau of 14 Water. 15 Q. Do you ever do work outside of the 16 enforcement context in your current role? 17 A. As I mentioned earlier, in addition to 18 working enforcement cases, we do, from time to time, 19 provide, you know, regulatory assistance, legal 20 consult to the Bureau on an as-needed basis. 21 Q. Are you familiar with the Aqua Illinois 22 University Park Public Water Supply System? 23 A. Yes. 24 Q. And do you mind if I refer to it as Aqua</p>

Page 14

1 UP System for short?  
2 A. That will be fine.  
3 Q. Now, when did you first become aware of  
4 the Aqua UP System.  
5 A. I would say that would be sometime in June  
6 of 2019.  
7 Q. And what happened in June of 2019?  
8 A. There was a actionable exceedance of the  
9 lead action level in University Park.  
10 MR. GAREL-FRANTZEN: Jerry, would you mind  
11 pulling up the large file in the Administrative  
12 Record.  
13 THE CONCIERGE: This will be introduced as  
14 Exhibit 3 for today.  
15 MR. GAREL-FRANTZEN: Okay.  
16 THE CONCIERGE: I can give the witness control  
17 if you need it to happen.  
18 MR. GAREL-FRANTZEN: Thank you.  
19 And I just want to provide for the  
20 purposes of clarity that the Administrative Record in  
21 front of you is the first version of the  
22 Administrative Record that was provided by the  
23 Illinois EPA in this Permit Appeal and it was filed  
24 on August 26, 2022.

Page 15

1 BY MR. GAREL-FRANTZEN:  
2 Q. And so what became your work in relation  
3 to the Aqua UP System in June of 2019?  
4 A. I was the, at that time in 2019, the  
5 assigned staff attorney for Illinois EPA in what  
6 later became the enforcement case of the Attorney  
7 General's Office.  
8 MR. GAREL-FRANTZEN: And, Jerry, could you  
9 please go to R000014.  
10 THE CONCIERGE: Stand by.  
11 BY MR. GAREL-FRANTZEN:  
12 Q. Mr. Roubitchek, do you have an  
13 understanding of what this Permit Appeal is about?  
14 MS. HANOHANO: Objection. Attorney-client  
15 privilege. Work-product privilege.  
16 I'm going to instruct the witness not to  
17 answer that question.  
18 MR. GAREL-FRANTZEN: And for the record, we  
19 disagree that the testimony that I've asked for is  
20 protected by attorney-client privilege or  
21 Work-product privilege. We do believe that you need  
22 to answer the question. And we will intend to raise  
23 this issue with the Hearing Officer if needed.  
24 THE WITNESS: So --

Page 16

1 MS. HANOHANO: We can address this issue at the  
2 hearing next week. But we will continue to object to  
3 questions that seek the mental impressions of  
4 counsel.  
5 MR. GAREL-FRANTZEN: And to be clear, I am not  
6 seeking the mental impressions of counsel. But I  
7 appreciate your objections  
8 THE WITNESS: I'm going to add for the record as  
9 well. Well, I mean, on advice of counsel, I'm not  
10 going to answer that question. But I do want to  
11 include my own statement whereas this or any other  
12 objection that Ms. Hanohano raises, that I have my  
13 own independent duty under the Illinois Supreme Court  
14 Rules of Professional Conduct to protect  
15 attorney-client privilege and attorney work product,  
16 and to keep the Agency's, you know, confidential  
17 information confidential. So I do want that on there  
18 for the record that that's my statement, and when  
19 there's objections of that nature, I'm going to rely  
20 on that statement as well and do not plan to waste  
21 the time repeating it every single time we have a  
22 question. But I do want that for the record, please.  
23 MR. GAREL-FRANTZEN: Understood. And I could  
24 consider that to be continuing for purposes of today

Page 17

1 if that's okay with you.  
2 THE WITNESS: Thank you.  
3 BY MR. GAREL-FRANTZEN:  
4 Q. Are you familiar with the document that  
5 begins on R00014?  
6 A. Yes.  
7 Q. What is this document?  
8 A. It appears to be the Special Exception  
9 Permit issued by the Illinois EPA on June 29, 2022.  
10 Q. And do you know whether this is the permit  
11 that is being appealed by Aqua in the current Permit  
12 Appeal?  
13 A. Yes, it is.  
14 Q. When did you first receive a copy of  
15 the -- of the Special Exception Permit No.  
16 0071-FY2022 which, if you don't mind, I will refer to  
17 as short as the 2022 Permit?  
18 A. I would have received a copy of the final  
19 signed 2022 Permit likely later in the day it was  
20 issued or the very next day.  
21 Q. We'll come back to the 2022 Permit. But I  
22 first want to discuss the prior permit which is also  
23 number 0071-FY2022, and I will refer to that prior  
24 permit, if you don't mind, as the 2021 Permit?

<p style="text-align: right;">Page 18</p> <p>1 A. That will be fine. 2 MR. GAREL-FRANTZEN: Could you please, Jerry, go 3 to R000383. 4 THE CONCIERGE: All right. I'm getting in. 5 MR. GAREL-FRANTZEN: That's a big file. 6 BY MR. GAREL-FRANTZEN: 7 Q. Mr. Roubitchek, are you familiar with this 8 document? 9 A. Yes. 10 Q. Could you please describe it to me? 11 A. This appears to be the Construction Permit 12 issued by the Bureau of Water on July 30, 2021. And 13 I believe if you were to scroll down it would be for 14 switching like corrosion control treatment to zinc 15 orthophosphate. 16 Q. When did you receive the 2021 Permit? 17 A. I likely would receive a copy of the final 18 signed 2021 Permit likely later the same day or the 19 next day after it was issued. 20 Q. Did you -- Did you review any drafts of 21 the 2021 Permit? 22 A. I would assume that I did. That would be 23 customary for the role I was playing. 24 Q. Did you draft any part of the 2021 Permit?</p>	<p style="text-align: right;">Page 20</p> <p>1 which you discussed the 2021 Permit prior to its 2 issuance? 3 MS. HANOHANO: Objection. Attorney-client 4 privilege. 5 I'm going to instruct the witness not to 6 answer the question. 7 MR. GAREL-FRANTZEN: And for the record, we 8 disagree that this testimony is protected by the 9 attorney-client privilege. We believe that 10 Mr. Roubitchek needs to answer the question. And 11 we'll intend to raise this issue with the Hearing 12 Officer. 13 Could you please go, Jerry, to R00016. 14 BY MR. GAREL-FRANTZEN: 15 Q. Who requested the group meetings, 16 Mr. Roubitchek for Aqua Illinois matters? 17 MS. HANOHANO: Objection. Attorney-client 18 privilege. I'm going to instruct the witness not to 19 answer the question. 20 MR. GAREL-FRANTZEN: It's a factual inquiry. 21 BY MR. GAREL-FRANTZEN: 22 Q. Was legal advice sought during those 23 meetings? 24 A. Anytime I attend a meeting, whether it's</p>
<p style="text-align: right;">Page 19</p> <p>1 MS. HANOHANO: Objection. Attorney-client 2 privilege. Work-product privilege. 3 I'm going to instruct the witness not to 4 answer the question. 5 BY MR. GAREL-FRANTZEN: 6 Q. Were you involved in the issuance of the 7 2021 Permit? 8 A. Anytime I worked with the Bureau on an 9 enforcement case, on there as my role as an attorney, 10 I did not draft permits. I may have reviewed drafts. 11 Provided legal advice. But that's as far as it goes. 12 Q. And did you discuss the 2021 Permit with 13 anyone at the Agency prior to its issuance? 14 A. Yes. 15 Q. Who did you discuss the 2021 Permit with 16 prior to its issuance? 17 A. I could not -- I could not pinpoint any 18 single discussion for you. But we have a group that 19 handles issues related to the Aqua enforcement matter 20 and/or Permit Appeal which would consist of Sanjay 21 Sofat, David Cook, and Mike Brown. It also earlier 22 in -- in 2022 would have included Mary Reed who has 23 since retired from the Agency. 24 Q. Do you recall any specific meeting at</p>	<p style="text-align: right;">Page 21</p> <p>1 Aqua or any other case we work on, I'm there as my 2 role as an attorney. So if the question is asked of 3 me or input is asked of me as an attorney for the 4 Agency where I provide information or advice as an 5 attorney for the Agency. 6 MS. HANOHANO: Could we go off the record for 7 one minute, please. 8 MR. GAREL-FRANTZEN: Sure. 9 (WHEREUPON, WE WERE OFF THE 10 RECORD.) 11 BY MR. GAREL-FRANTZEN: 12 Q. Could you take a moment, Mr. Roubitchek, 13 to re-read or refresh yourself as to additional 14 Condition No. 6 of the 2021 Permit -- 2022 -- 2020 -- 15 MR. GAREL-FRANTZEN: I'm sorry, Jerry. I 16 pointed you to the wrong page. 17 THE CONCIERGE: Where would you like to go? 18 MR. GAREL-FRANTZEN: 385. 384. Thank you. 19 BY MR. GAREL-FRANTZEN: 20 Q. Mr. Roubitchek, we have back up on the 21 screen the 2021 Permit. Could you please take a 22 moment to read additional Condition No. 6 and 23 indicate to me when you have done so? 24 A. (Witness looking at document.) Okay.</p>

Page 22

1 Q. Taking a look at the first sentence of  
2 additional Condition No. 6 of the 2021 Permit, what's  
3 your understanding as to the basis for the 40  
4 sampling per month requirement?  
5 MS. HANOHANO: Objection. Attorney-client  
6 privilege. Work-product privilege.  
7 I'm going to instruct the witness not to  
8 answer the question.  
9 BY MR. GAREL-FRANTZEN:  
10 Q. And, Mr. Roubitchek, what is your  
11 understanding is the basis for the 60 sampling per  
12 month upper end requirement in additional Condition  
13 No. 6?  
14 MS. HANOHANO: Same objection.  
15 I'm going to instruct the witness not to  
16 answer this question also.  
17 MR. GAREL-FRANTZEN: And for both instances we  
18 disagree that this testimony is protected by the  
19 attorney-client privilege or Work-product privilege.  
20 We do believe that Mr. Roubitchek should be required  
21 to answer the question. And we'll intend to raise  
22 this issue with the Hearing Officer.  
23 BY MR. GAREL-FRANTZEN:  
24 Q. Mr. Roubitchek, does anything in the

Page 23

1 Illinois Administrative Code require 40 samples per  
2 month for a Public Water System of Aqua Illinois'  
3 size?  
4 MS. HANOHANO: Objection. Attorney-client  
5 privilege. Work-product privilege.  
6 I'm going to instruct the witness not to  
7 answer the question.  
8 BY MR. GAREL-FRANTZEN:  
9 Q. Do you have an understanding generally  
10 outside of the context of this Permit Appeal,  
11 Mr. Roubitchek, whether 40 samples per month are  
12 required of Public Water Systems under Illinois'  
13 rules?  
14 MS. HANOHANO: Objection. Attorney-client  
15 privilege. Work-product privilege.  
16 I'm going to instruct him not to answer  
17 the question.  
18 MR. GAREL-FRANTZEN: And, again, we do disagree  
19 that the legal privileges apply in this instance.  
20 I'm asking generally for his understanding of the  
21 Illinois Lead and Copper Rule and other Illinois  
22 regulations. I'm not asking anything that is going  
23 into his mental impressions or advice to counsel or  
24 to his client.

Page 24

1 BY MR. GAREL-FRANTZEN:  
2 Q. Mr. Roubitchek, taking a look at the  
3 second sentence of additional Condition No. 6 of the  
4 2021 Permit. It starts, consideration should be  
5 given based upon highest past lead results.  
6 Do you see that sentence?  
7 A. Yes.  
8 Q. What type of consideration did the Agency  
9 have in mind that should be given to highest past  
10 lead results?  
11 MS. HANOHANO: Objection. Attorney-client  
12 privilege. Work-product privilege.  
13 I'm going to instruct the witness not to  
14 answer the question.  
15 BY MR. GAREL-FRANTZEN:  
16 Q. And what consideration was Aqua UP System  
17 to have given to geographic representation?  
18 MS. HANOHANO: Same objection.  
19 I'm also going to instruct him not to  
20 answer that one.  
21 BY MR. GAREL-FRANTZEN:  
22 Q. And, Mr. Roubitchek, were you consulted  
23 in -- during the drafting of the additional Condition  
24 6 of the 2021 Permit?

Page 25

1 A. Yes.  
2 Q. By whom were you consulted?  
3 MS. HANOHANO: Objection. Attorney-client  
4 privilege.  
5 I'm going to instruct him not to answer  
6 that.  
7 BY MR. GAREL-FRANTZEN:  
8 Q. For what purpose was the advice sought in  
9 relation to the drafting of additional Condition 6 of  
10 the 2021 Permit?  
11 MS. HANOHANO: Same objection.  
12 I'm going to instruct him not to answer.  
13 MR. GAREL-FRANTZEN: Jerry, could we please go  
14 to R000001.  
15 THE CONCIERGE: Stand by.  
16 BY MR. GAREL-FRANTZEN:  
17 Q. Mr. Roubitchek, have you seen this letter  
18 before?  
19 A. Yes.  
20 Q. Did you see it prior to the issuance of  
21 the 2022 Permit?  
22 A. Yes.  
23 Q. Can you please describe what this document  
24 is?

<p style="text-align: right;">Page 26</p> <p>1 A. I believe this is one of two documents                  2 submitted by Aqua within a matter of days                  3 requesting -- This would have been a request for                  4 modification of the 2021 Permit.                  5 Q. And did you receive a copy of this letter                  6 from Aqua?                  7 A. I don't recall if I received it from Aqua.                  8 But it would have been forwarded to me by Mr. Cook.                  9 Q. And what's your understanding as to Aqua's                  10 request in this letter as to additional Condition                  11 No. 6 of the 2021 Permit?                  12 MS. HANOHANO: Objection. Attorney-client                  13 privilege. Work-product privilege.                  14 I'm going to instruct the witness not to                  15 answer the question.                  16 BY MR. GAREL-FRANTZEN:                  17 Q. Did you discuss this letter with Mr. Cook                  18 prior to the issuance of the 2022 Permit?                  19 A. Yes.                  20 Q. Do you recall the date on which you                  21 discussed this letter with Mr. Cook?                  22 A. No.                  23 Q. Do you recall how many times you discussed                  24 this letter with Mr. Cook?</p>	<p style="text-align: right;">Page 28</p> <p>1 letter or Page 3 of the record?                  2 MR. GAREL-FRANTZEN: The record.                  3 MR. GRANT: Thank you.                  4 THE WITNESS: I've read that -- read those two                  5 paragraphs.                  6 BY MR. GAREL-FRANTZEN:                  7 Q. What is your understanding as to what Aqua                  8 was seeking?                  9 MS. HANOHANO: Objection. Attorney-client                  10 privilege. Work-product privilege. I'm going to                  11 instruct the witness not to answer the question.                  12 MR. GAREL-FRANTZEN: I am not -- Just for the                  13 record, I am not asking in his role or in meetings                  14 that he has had with his client as to the meeting.                  15 I'm asking simply as Mr. Roubitchek and what his                  16 understanding of the special Condition 6 request to                  17 modify made by Aqua Illinois was.                  18 MS. HANOHANO: My objection stands.                  19 BY MR. GAREL-FRANTZEN:                  20 Q. Mr. Roubitchek --                  21 MR. GAREL-FRANTZEN: If we could then go to the                  22 next page, Jerry.                  23 BY MR. GAREL-FRANTZEN:                  24 Q. Mr. Roubitchek, do you see the bolded</p>
<p style="text-align: right;">Page 27</p> <p>1 A. No.                  2 Q. And who contacted you to discuss this                  3 letter?                  4 A. I don't know if anybody contacted me. It                  5 likely would have been discussed in one of many means                  6 we have to discuss any issue going on with the Aqua                  7 enforcement matter and/or Permit Appeal.                  8 Q. And is that the same standing group call                  9 that you referenced earlier?                  10 A. It's not a call. It's a standing meeting.                  11 But yes.                  12 Q. Thank you.                  13 MR. GAREL-FRANTZEN: Jerry, could you go to                  14 Page 3.                  15 BY MR. GAREL-FRANTZEN:                  16 Q. Mr. Roubitchek, could you please read the                  17 paragraph starting Aqua Illinois is seeking and the                  18 italicized and bolded paragraph beneath that.                  19 A. Is this still part of the March 24th                  20 letter?                  21 Q. It is.                  22 A. Okay. (Witness looking at document.)                  23 MR. GRANT: Excuse me for interrupting.                  24 Alex, are you talking about Page 3 of the</p>	<p style="text-align: right;">Page 29</p> <p>1 number 1 and its sub-bullet on that page?                  2 A. Yes.                  3 Q. Is there any statement in those paragraphs                  4 that you believe are inaccurate?                  5 MS. HANOHANO: Objection. Attorney-client                  6 privilege. Work-product privilege.                  7 I'm going to instruct the witness not to                  8 answer the question.                  9 BY MR. GAREL-FRANTZEN:                  10 Q. Mr. Roubitchek, who contacted you to                  11 discuss the bolded number 1 in the sub-bullet on                  12 R000004?                  13 MS. HANOHANO: I'm going to object on lack of                  14 foundation.                  15 BY MR. GAREL-FRANTZEN:                  16 Q. Have you ever discussed bolded Paragraph                  17 Number 1 and it's sub-bullet on Page RRR -- R000004                  18 with anyone?                  19 A. I believe you asked me if I discussed this                  20 letter with anyone. I already answered yes.                  21 Q. And so?                  22 A. Yes.                  23 Q. I'm sorry -- I was talking out loud. I                  24 wasn't being -- I wasn't asking for another answer.</p>

Page 30

1 So is there anything in the bolded number  
2 1 or its sub-bullet that you disagree with?  
3 MS. HANOHANO: Objection. Attorney-client  
4 privilege. Work-product privilege.  
5 I'm going to instruct the witness not to  
6 answer the question.  
7 BY MR. GAREL-FRANTZEN:  
8 Q. Do you also see the bolded number 2,  
9 Mr. Roubitchek, and its three sub-bullets on Page  
10 R000004?  
11 A. Yes.  
12 Q. Did you -- Do you -- Do you see any  
13 statement in any of these paragraphs that you believe  
14 are inaccurate?  
15 MS. HANOHANO: Objection. Attorney-client  
16 privilege. Work-product privilege.  
17 I'm going to instruct the witness not to  
18 answer.  
19 BY MR. GAREL-FRANTZEN:  
20 Q. Did you discuss these paragraphs that I --  
21 that I referenced as bolded Paragraph No. 2 and its  
22 three sub-bullets with anyone at the Agency?  
23 A. As I mentioned in my previous answer, I  
24 discussed this letter with Bureau of Water staff.

Page 31

1 Q. And who at the Bureau of Water did you  
2 speak with in regards to these paragraphs?  
3 A. I'm not going to recall any specific  
4 person, individual. But it likely would have been  
5 with the same group I mentioned before during the  
6 standing group meeting that we discussed.  
7 MR. GAREL-FRANTZEN: Jerry, could we please go  
8 to R8.  
9 BY MR. GAREL-FRANTZEN:  
10 Q. Mr. Roubitchek, are you familiar with this  
11 document?  
12 A. Yes.  
13 Q. What is it?  
14 A. This will be a companion document to the  
15 March 24th letter except for where the March 24th  
16 letter requested a Supplemental Permit, this letter  
17 is requesting a Special Exception Permit.  
18 Q. And did you review this document prior to  
19 the issuance of the 2022 Permit?  
20 A. Yes.  
21 Q. Do you recall when you first received this  
22 letter?  
23 A. I could not pinpoint a day for you. But  
24 based on past practice it would have been forwarded

Page 32

1 to me by Mr. Cook likely after he received it.  
2 Q. And did you discuss this document with  
3 anyone prior to the issuance of the 2022 Permit?  
4 A. Yes.  
5 Q. Who did you discuss it with?  
6 A. Similar to my last answer. I cannot  
7 pinpoint any individual or time, but it would have  
8 been with the same group meeting that we discussed  
9 already.  
10 Q. And other than -- Other than Aqua's  
11 request in this letter for a Special Exception  
12 Permit, are you aware of any differences between this  
13 letter and the letter that we had just discussed  
14 dated March 24, 2022?  
15 MS. HANOHANO: Objection. Attorney-client  
16 privilege. Work-product privilege.  
17 I'm going to instruct the witness not to  
18 answer.  
19 BY MR. GAREL-FRANTZEN:  
20 Q. Did you discuss this document with  
21 Mr. Cook prior to the issuance of the 2022 Permit?  
22 MS. HANOHANO: Asked and answered.  
23 BY THE WITNESS:  
24 A. As I mentioned in my last answer, I could

Page 33

1 not pinpoint any one person I would have discussed  
2 this document with. But it would have been another  
3 discussion with the same group of folks in the Bureau  
4 of Water that I had previously mentioned.  
5 Q. Thank you.  
6 MR. GAREL-FRANTZEN: Jerry, if we could go to  
7 R00014.  
8 BY MR. GAREL-FRANTZEN:  
9 Q. Mr. Roubitchek, I have brought up again  
10 the 2022 Permit, and I'm going to ask Jerry to scroll  
11 down to additional Condition No. 6 which I believe is  
12 on the following page, R000015.  
13 THE CONCIERGE: It's on the following page.  
14 MR. GAREL-FRANTZEN: Oh, thank you.  
15 BY MR. GAREL-FRANTZEN:  
16 Q. Mr. Roubitchek, please take a moment to  
17 read additional Condition No. 6 of the 2022 Permit?  
18 A. (Witness looking at document.) Okay.  
19 Q. What is your understanding as to the  
20 meaning of the first sentence of additional Condition  
21 No. 6 of the 2022 Permit?  
22 MS. HANOHANO: Objection. Attorney-client  
23 privilege. Work-product privilege. I'm going to  
24 instruct the witness not to answer the question.



Page 34

1 BY MR. GAREL-FRANTZEN:  
2 Q. Did you discuss the drafting of additional  
3 Condition No. 6 with anyone?  
4 A. I would have reviewed a draft which may  
5 have included discussion of the terms included in  
6 this one.  
7 Q. Did you discuss additional Condition No. 6  
8 of the draft of the 2022 Permit?  
9 MS. HANOHANO: I'm going to object.  
10 Attorney-client privilege. Work-product privilege.  
11 And ask him not to answer.  
12 BY MR. GAREL-FRANTZEN:  
13 Q. Who contacted you to discuss the draft of  
14 additional Condition No. 6?  
15 MS. HANOHANO: Same objection.  
16 BY MR. GAREL-FRANTZEN:  
17 Q. Was legal advice sought?  
18 A. If I attend a meeting, I attend in my role  
19 as an attorney. If any questions are directed to me  
20 or I direct any advice to my client, it's in the role  
21 as an attorney.  
22 Q. Thank you.  
23 If you'd take a look at the second  
24 sentence. It begins, the elimination of this

Page 35

1 condition does not eliminate.  
2 What is your understanding of what that  
3 sentence means in additional Condition No. 6 of the  
4 2022 Permit?  
5 MS. HANOHANO: Objection. Attorney-client  
6 privilege. Work-product privilege.  
7 I'm going to instruct the witness not to  
8 answer the question.  
9 BY MR. GAREL-FRANTZEN:  
10 Q. Is monthly monitoring required by the Lead  
11 and Copper Rule for lead?  
12 MS. HANOHANO: Same objection.  
13 I'm going to instruct him not to answer.  
14 BY MR. GAREL-FRANTZEN:  
15 Q. Are you familiar with the Agreed Interim  
16 Order that is referenced in additional Condition  
17 No. 6 of the 2022 Permit?  
18 A. Yes.  
19 Q. Are you aware of whether there are any  
20 other -- Strike that.  
21 What was the basis for Illinois EPA's  
22 denial of Aqua's request to modify additional  
23 Condition No. 6?  
24 MS. HANOHANO: Objection. Attorney-client

Page 36

1 privilege.  
2 I'm going to instruct him not to answer.  
3 BY MR. GAREL-FRANTZEN:  
4 Q. Mr. Roubitchek, could you take a look at  
5 the paragraph following additional Condition No. 6  
6 and let me know when you've read it.  
7 A. (Witness looking at document.) Okay.  
8 Q. What is Illinois EPA stated basis for  
9 denying Aqua's request to modify additional Condition  
10 No. 6?  
11 MS. HANOHANO: Objection. Attorney-client  
12 privilege. Work-product privilege.  
13 I'm going to instruct him not to answer.  
14 BY MR. GAREL-FRANTZEN:  
15 Q. Did you assist in the drafting of this  
16 sentence, Mr. Roubitchek?  
17 MS. HANOHANO: Same objection.  
18 BY MR. GAREL-FRANTZEN:  
19 Q. Were you asked by anyone at the Agency to  
20 draft any portion of the 2022 Permit?  
21 MS. HANOHANO: Same objection.  
22 MR. GAREL-FRANTZEN: We disagree that any of  
23 these questions are protected by the attorney-client  
24 privilege or work product doctrine. We believe that

Page 37

1 Mr. Roubitchek should be required to answer these  
2 questions. And we'll intend to raise the issue with  
3 the Hearing Officer.  
4 BY THE WITNESS:  
5 A. I will state, as I mentioned at the  
6 beginning of this deposition, that I do not draft  
7 permits.  
8 MR. GAREL-FRANTZEN: Thank you.  
9 BY MR. GAREL-FRANTZEN:  
10 Q. Have you seen a permit issued by -- to a  
11 water -- a Public Water Supply company -- Supply  
12 System before that has imposed a monthly lead  
13 monitoring requirement?  
14 MS. HANOHANO: Objection. Attorney-client  
15 privilege. Also irrelevant.  
16 I'm going to instruct him not to answer.  
17 BY MR. GAREL-FRANTZEN:  
18 Q. Do you have understanding as to what the  
19 Agency hopes to gain by requiring monthly monitoring  
20 under the additional Condition 6 of the 2022 Permit?  
21 MS. HANOHANO: Same objection.  
22 MR. GAREL-FRANTZEN: Jerry, could you please go  
23 to R0000581.  
24

Page 38

1 BY MR. GAREL-FRANTZEN:  
2 Q. Mr. Roubitchek, are you familiar with this  
3 document?  
4 A. Yes.  
5 Q. What is it?  
6 A. It's the Agreed Interim Order entered into  
7 between Aqua and the State of Illinois.  
8 Q. And when was it entered into?  
9 A. It's not on that page. But my  
10 recollection would have been November of 2019.  
11 Q. Were you involved in the negotiation of  
12 the Agreed Interim Order?  
13 A. As the assigned Agency attorney for the  
14 Aqua enforcement matter, I would have had a role in  
15 negotiation of this Agreed Interim Order.  
16 Q. What was your role in the negotiation of  
17 the Agreed Interim Order.  
18 A. One of the negotiators.  
19 Q. Did you draft the Agreed Interim Order?  
20 MS. HANOHANO: Objection. Attorney-client  
21 privilege. Work-product privilege. I'm going to  
22 instruct him not to answer.  
23 MR. GAREL-FRANTZEN: I'm not seeking mental  
24 impressions or privileged advice or communications.

Page 39

1 I'm simply asking a factual inquiry as to whether  
2 Mr. Roubitchek had drafted any portion of the Agreed  
3 Interim Order.  
4 MS. HANOHANO: And, Mr. Roubitchek, you can  
5 answer with a simple yes or no.  
6 BY THE WITNESS:  
7 A. Yes. I would have worked in concert with  
8 assigned -- other assigned attorneys at the Attorney  
9 General's Office to draft portions of the Agreed  
10 Interim Order.  
11 BY MR. GAREL-FRANTZEN:  
12 Q. And do you recall who the other assigned  
13 attorneys were?  
14 MS. HANOHANO: Objection. Attorney-client  
15 privilege. Work-product privilege. I'm going to  
16 instruct him not to answer.  
17 MR. GAREL-FRANTZEN: Could you please go, Jerry,  
18 to 588. Wonderful.  
19 BY MR. GAREL-FRANTZEN:  
20 Q. Mr. Roubitchek, could you please take a  
21 moment to read F14 of the Agreed Interim Order.  
22 And, Jerry, it may be helpful to give him  
23 control or to show more of the page.  
24 THE WITNESS: If you could just page down a

Page 40

1 little bit.  
2 MS. HANOHANO: You know, Alex, before you ask a  
3 question, do you mind if we take a brief break.  
4 We've been going for, I think, almost an hour.  
5 MR. GAREL-FRANTZEN: Sure.  
6 MS. HANOHANO: Thank you.  
7 (WHEREUPON, WE WERE OFF THE  
8 RECORD.)  
9 BY MR. GAREL-FRANTZEN:  
10 Q. Mr. Roubitchek, we were discussing the  
11 Agreed Interim Order prior to the break.  
12 Do you remember talking about that with  
13 me?  
14 A. Yes.  
15 Q. And we are specifically looking right now  
16 as to Condition or Paragraph F14 on R000588.  
17 Have you had a moment to read that  
18 Paragraph 14?  
19 MS. HANOHANO: I don't think it's up on the  
20 screen.  
21 MR. GAREL-FRANTZEN: Oh, sorry.  
22 THE WITNESS: Give me a second, please.  
23 MR. GAREL-FRANTZEN: Sure.  
24 THE WITNESS: (Witness looking at document.)

Page 41

1 Okay.  
2 BY MR. GAREL-FRANTZEN:  
3 Q. What's your understanding as to what  
4 Condition 14 requires of Aqua UP System?  
5 MS. HANOHANO: Objection. Attorney-client  
6 privilege. Work-product privilege.  
7 I'm going to instruct the witness not to  
8 answer the question.  
9 BY MR. GAREL-FRANTZEN:  
10 Q. Mr. Roubitchek, is the Agreed Interim  
11 Order in the requirements of condition -- of  
12 Paragraph 14 included in additional Condition 6 of  
13 the 2022 Permit?  
14 MS. HANOHANO: Same objection.  
15 MR. GAREL-FRANTZEN: And we dispute that. This  
16 testimony is protected by the attorney-client or  
17 work-product privileges. The Illinois EPA brought  
18 the interpretation of this order and Paragraph 14  
19 into dispute by incorporating it into reference into  
20 the 2022 Permit.  
21 BY MR. GAREL-FRANTZEN:  
22 Q. Mr. Roubitchek, do you see the sentence  
23 that begins, Upon entry of this Order, and unless or  
24 until otherwise directed in writing?

Page 42

1 A. Yes.  
2 Q. A little bit further down there's a  
3 Subsection A beginning, Aqua shall collect additional  
4 compliance samples.  
5 Do you see that, Subsection A?  
6 A. Yes.  
7 Q. What does the phrase mean unless or until  
8 further directed in writing by Illinois EPA?  
9 MS. HANOHANO: Objection. Attorney-client  
10 privilege. Work-product privilege.  
11 I'm going to instruct the witness not to  
12 answer the question.  
13 BY MR. GAREL-FRANTZEN:  
14 Q. What was the monthly monitoring  
15 requirement that was imposed on Aqua under Subsection  
16 A of Paragraph 14?  
17 MS. HANOHANO: Same objection.  
18 BY MR. GAREL-FRANTZEN:  
19 Q. And, Mr. Roubitchek, what's your  
20 understanding as to what it means that the additional  
21 compliance samples on a monthly basis must be  
22 collected until such time as Aqua receives written  
23 approval from Illinois EPA?  
24 A. Same objection.

Page 43

1 Q. Do you have an understanding,  
2 Mr. Roubitchek, as to when the monthly monitoring  
3 would no longer be necessary as --  
4 MS. HANOHANO: Same objection.  
5 BY MR. GAREL-FRANTZEN:  
6 Q. -- as the word necessary is used in  
7 Subsection A of 14?  
8 MS. HANOHANO: Apologies, Alex.  
9 Attorney-client privilege. Work-product  
10 privilege.  
11 I'm going to instruct the witness not a  
12 answer the question.  
13 BY MR. GAREL-FRANTZEN:  
14 Q. Mr. Roubitchek, did you discuss the  
15 requirements of Paragraph 14 of the Agreed Interim  
16 Order prior to -- with anyone else at Illinois EPA in  
17 connection with the drafting of the 2022 Permit?  
18 MS. HANOHANO: Same objection.  
19 BY MR. GAREL-FRANTZEN:  
20 Q. Do you recall who, if anyone, contacted  
21 you to discuss the requirements imposed under  
22 Paragraph 14?  
23 MS. HANOHANO: Same objection.  
24

Page 44

1 BY MR. GAREL-FRANTZEN:  
2 Q. What are the, quote, additional compliance  
3 samples, end quote, that were to be collected on a  
4 monthly basis?  
5 MS. HANOHANO: Objection. Attorney-client  
6 privilege. Work-product privilege.  
7 I'm going to instruct the witness not to  
8 answer the question.  
9 BY MR. GAREL-FRANTZEN:  
10 Q. What additional information does monthly  
11 monitoring give Illinois EPA in connection to the  
12 Aqua UP System?  
13 MS. HANOHANO: Same objection.  
14 BY MR. GAREL-FRANTZEN:  
15 Q. How is that information valuable to the  
16 Illinois EPA?  
17 MS. HANOHANO: Same objection.  
18 BY MR. GAREL-FRANTZEN:  
19 Q. Do you believe, Mr. Roubitchek, that  
20 monthly monitoring is necessary at the Aqua UP  
21 System?  
22 MS. HANOHANO: Objection. Attorney-client  
23 privilege. Work-product privilege.  
24 I'm going to instruct him not to answer

Page 45

1 the question.  
2 MR. GAREL-FRANTZEN: And we again disagree that  
3 this testimony is protected by any legal privilege  
4 because the interpretation of Paragraph 14 of the  
5 Agreed Interim Order was put into question by being  
6 incorporated by reference into additional Condition 6  
7 of the 2022 Permit.  
8 BY MR. GAREL-FRANTZEN:  
9 Q. Is there anything in the Agreed Interim  
10 Order that would prohibit IEPA from granting Aqua's  
11 request to modify additional Condition 6 of the 2021  
12 Permit?  
13 MS. HANOHANO: Objection. Attorney-client  
14 privilege. Work-product privilege.  
15 I'm going to instruct the witness not to  
16 answer the question.  
17 BY MR. GAREL-FRANTZEN:  
18 Q. Have you discussed the Agreed Interim  
19 Order with anyone other than those at the Illinois  
20 EPA?  
21 MS. HANOHANO: Same objection.  
22 BY MR. GAREL-FRANTZEN:  
23 Q. Have you discussed the requirements of the  
24 Agreed Interim Order with the U.S. Environmental

<p style="text-align: right;">Page 46</p> <p>1 Protection Agency? 2 MS. HANOHANO: Same objection. And I'm also 3 going to assert a separate continuing objection as to 4 questions regarding communications between IEPA and 5 USEPA based on the common interest agreement. 6 The witness is instructed not to answer to 7 the extent that attorney-client privileged 8 information is disclosed. 9 BY MR. GAREL-FRANTZEN: 10 Q. Did you discuss the requirements of the 11 Agreed Interim Order with anyone at the U.S. 12 Environmental Protection Agency? 13 MS. HANOHANO: Same objection. 14 BY THE WITNESS: 15 A. Yes. 16 BY MR. GAREL-FRANTZEN: 17 Q. And who did you discuss the requirements 18 of the Agreed Interim Order with? 19 MS. HANOHANO: Objection. Attorney-client 20 privilege. 21 I'm going to instruct the witness not to 22 answer the question. 23 MR. GAREL-FRANTZEN: I disagree that just 24 identifying that who Mr. Roubitchek may have spoken</p>	<p style="text-align: right;">Page 48</p> <p>1 if he has a page number, if you have one -- Is it in 2 the original record? 3 MR. GAREL-FRANTZEN: It was excluded from the 4 record, although it was included -- there is -- there 5 is a Bates range. But the Illinois EPA did not file 6 the presentations for inclusion in the public docket 7 based on Aqua's now waived request to keep the 8 presentation privileged. 9 MR. GRANT: Right. So it's your understanding 10 that that's going to be in the supplemented record 11 for tomorrow, that it will be included in there? 12 MR. GAREL-FRANTZEN: Yeah, it should be 13 included. 14 MR. GRANT: Okay. Thank you. Sorry. 15 MS. HANOHANO: If you have the original, Chris, 16 it's all redacted. 17 THE CONCIERGE: You wanted 714, right? 18 MR. GAREL-FRANTZEN: Yeah. 19 THE CONCIERGE: This will be marked as Exhibit I 20 of today's deposition. 21 Chris, check your chat. 22 MR. GAREL-FRANTZEN: I'm sorry. What did you 23 say? 24 THE CONCIERGE: I asked Chris to check his chat.</p>
<p style="text-align: right;">Page 47</p> <p>1 with is protected by the attorney-client or other 2 legal privilege. 3 BY MR. GAREL-FRANTZEN: 4 Q. If the Agreed Interim Order no longer 5 existed, would the monthly compliance sampling 6 required by additional Condition 6 of the 2022 Permit 7 be necessary? 8 MS. HANOHANO: Objection. Attorney-client 9 privilege. Work-product privilege. Calls for 10 speculation. 11 I'm going to instruct the witness not to 12 answer the question. 13 MR. GAREL-FRANTZEN: And, Jerry, if we could 14 pull up the Dr. Edwards' presentation from July of 15 2021. 16 THE CONCIERGE: Stand by. 17 THE WITNESS: Jerry, could you give me a page 18 number when you get there too, please. 19 MR. GAREL-FRANTZEN: I'm sorry, Chris, there is 20 no page number because it was previously excluded 21 from the Administrative Record. 22 MR. GRANT: Okay. I've got the original 23 Administrative Record which I think may have had it, 24 and then in the amended one it wasn't in there. But</p>	<p style="text-align: right;">Page 49</p> <p>1 MR. GRANT: Thank you. 2 BY MR. GAREL-FRANTZEN: 3 Q. Mr. Roubitchek, have you seen this 4 document before? 5 A. It's hard to tell from the title page 6 where it is. But if your representation is it's a 7 Dr. Edwards' presentation, then, yes, I've seen it. 8 Q. Would you like to take a moment to just 9 briefly either take control or ask Jerry to scroll 10 through the slides to refresh yourself as to the 11 presentation. 12 A. I appreciate the offer. I'm willing to 13 indicate that it's Dr. Edwards' presentation. 14 Q. Thank you. 15 When did you first see Dr. Edwards' 16 July 14, 2021 presentation? 17 A. Based on the assumption that that date is 18 the actual date he gave the presentation, and not 19 like a preparation date, then it would have been on 20 that -- on July 14, 2021 when he made that 21 presentation. 22 Q. And in what setting was the presentation 23 given? 24 A. It would have been a joint technical</p>

<p style="text-align: right;">Page 50</p> <p>1 meeting that included representatives from Aqua 2 Illinois EPA and USEPA. 3 Q. Do you recall who was present on behalf of 4 Illinois EPA? 5 A. I cannot recall everyone that was there. 6 Q. Do you have an understanding as to what 7 this presentation was about? 8 MS. HANOHANO: Objection. Attorney-client 9 privilege. Work-product privilege. 10 I'm going to instruct the witness not to 11 answer the question. 12 BY MR. GAREL-FRANTZEN: 13 Q. Have you discussed it presentation with 14 anyone following the date on which Dr. Edwards gave 15 it to you? 16 MS. HANOHANO: Same objection. 17 BY MR. GAREL-FRANTZEN: 18 Q. Did you review this presentation as part 19 of Aqua's request to modify additional Condition 6 of 20 the 2021 Permit? 21 MS. HANOHANO: Same objection. 22 BY MR. GAREL-FRANTZEN: 23 Q. Did anyone contact you to discuss the 24 presentation prior to the issuance of the 2022</p>	<p style="text-align: right;">Page 52</p> <p>1 October 29th. But whenever he gave that presentation 2 of the slides, yes, I would have been present. 3 Q. And in what setting was the presentation 4 given by Dr. Edwards? 5 A. It would have been a joint meeting between 6 representatives of Aqua, Illinois EPA, and USEPA. 7 Q. Do you recall who from Illinois EPA was 8 present at that meeting? 9 A. I cannot recall. 10 Q. Do you have an understanding as to the 11 information presented by Dr. Edwards during this 12 October 29, 2021 meeting? 13 MS. HANOHANO: Objection. Attorney-client 14 privilege. Work-product privilege. 15 I'm going to instruct the witness not to 16 answer the question. 17 BY MR. GAREL-FRANTZEN: 18 Q. Did you discuss this presentation with 19 anyone prior to the issuance of the 2022 Permit? 20 MS. HANOHANO: Same objection. 21 MR. GAREL-FRANTZEN: And we do disagree again 22 that this testimony is protected by the 23 attorney-client privilege or work-product privilege. 24 We do believe that Mr. Roubitchek should be required</p>
<p style="text-align: right;">Page 51</p> <p>1 Permit? 2 MS. HANOHANO: Same objection. 3 MR. GAREL-FRANTZEN: Jerry, could you go to the 4 Dr. Edwards' presentation dated October 29, 2021. 5 THE CONCIERGE: Stand by. 6 MR. GAREL-FRANTZEN: And in the original 7 Administrative Record it is redacted and expands from 8 R00452 to R00470. 9 THE CONCIERGE: This is being introduced as 10 Exhibit 2 for today's deposition. 11 BY MR. GAREL-FRANTZEN: 12 Q. Mr. Roubitchek, are you familiar with this 13 document? 14 A. Similar to the last document, I'm going to 15 assume that's Dr. Edwards' presentation, and as so 16 described, yes, I am. 17 Q. Would you like to have an opportunity to 18 scroll through this slides to refresh yourself as to 19 the presentation? 20 A. Thank you, but that is not necessary. 21 Q. Were you present at the meeting during 22 which Mr. Edwards presented the slide deck that is up 23 on the screen? 24 A. I cannot pinpoint that it was</p>	<p style="text-align: right;">Page 53</p> <p>1 to answer these questions. And we'll intend to raise 2 the issue with the Hearing Officer. 3 MS. HANOHANO: Mr. Roubitchek is Deputy General 4 Counsel, and questions are being asked about meetings 5 that he attended in his capacity as counsel to 6 provide legal advice, and questions are also being 7 asked of his mental impressions. We will continue to 8 object to those questions. Thank you. 9 MR. GAREL-FRANTZEN: I appreciate that. And I 10 also appreciate that I have been asking questions 11 about meetings that he was attending along with 12 representatives of Aqua Illinois and USEPA. 13 BY MR. GAREL-FRANTZEN: 14 Q. Mr. Roubitchek, do you have an opinion of 15 Dr. Edwards? 16 MS. HANOHANO: Objection. Attorney-client 17 privilege. Work-product privilege. 18 I'm going to instruct the witness not to 19 answer the question. 20 BY MR. GAREL-FRANTZEN: 21 Q. Are you familiar with Dr. Edwards? 22 A. Yes. 23 Q. How are you familiar with him? 24 A. My understanding of Dr. Edwards is limited</p>

Page 54

1 as solely his involvement in the Aqua enforcement  
 2 matter, whereas I'm -- my understanding is that he  
 3 was retained by Aqua as an expert.  
 4 BY MR. GAREL-FRANTZEN:  
 5 Q. Do you recall how many drafts of the 2022  
 6 Permit that you received?  
 7 MS. HANOHANO: Objection. Attorney-client  
 8 privilege. Work-product privilege.  
 9 I'm going to instruct the witness not to  
 10 answer the question.  
 11 BY MR. GAREL-FRANTZEN:  
 12 Q. Did you have any communications with USEPA  
 13 about the drafting of the 2022 Permit?  
 14 MS. HANOHANO: A continuing objection from  
 15 earlier stands. But the witness can answer to the  
 16 extent that no attorney-client privileged information  
 17 is disclosed.  
 18 THE WITNESS: Is this question limited to the  
 19 2022 Permit?  
 20 MR. GAREL-FRANTZEN: Trudy, could you read.  
 21 (WHEREUPON, THE RECORD WAS READ  
 22 AS REQUESTED.)  
 23 THE WITNESS: Thank you for reading it back.  
 24

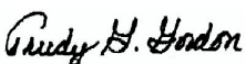
Page 55

1 BY THE WITNESS:  
 2 A. And my answer is no.  
 3 MR. GAREL-FRANTZEN: I do not have any  
 4 additional questions at this time. However, Aqua  
 5 reserves the right to recall the witness once the  
 6 Illinois EPA has filed its Amended Administrative  
 7 Record in this case in accordance with the Hearing  
 8 Officer's order dated September 19, 2022.  
 9 MS. HANOHANO: Do you mind if we take a quick  
 10 break, please?  
 11 MR. GAREL-FRANTZEN: Sure. That sounds good.  
 12 MS. HANOHANO: Thanks.  
 13 (WHEREUPON, WE WERE OF THE  
 14 RECORD.)  
 15 MS. HANOHANO: I have no questions at this time.  
 16 But Respondent reserves all rights to ask questions  
 17 of Mr. Roubitckek at the hearing scheduled on  
 18 September 28, 2022. Thank you.  
 19 MR. GAREL-FRANTZEN: We can go off the record.  
 20 THE CONCIERGE: We are off the record at one  
 21 hour and ten minutes of this deposition.  
 22 (WHEREUPON, WE WERE OF THE RECORD  
 23 AT 3:29 P.M.)  
 24 \* \* \* \* \*

Page 56

1 CERTIFICATE  
 2 OF  
 3 CERTIFIED SHORTHAND REPORTER  
 4  
 5 I, Trudy G. Gordon, a Certified Shorthand  
 6 Reporter of the State of Illinois, CSR License No.  
 7 084-004077, do hereby certify:  
 8 That previous to the commencement of the  
 9 examination of the aforesaid witness, the witness was  
 10 duly sworn to testify the whole truth concerning the  
 11 matters herein;  
 12 That the foregoing deposition transcript  
 13 was stenographically reported by me and was  
 14 thereafter reduced to typewriting under my personal  
 15 direction and constitutes a true and accurate record  
 16 of the testimony given and the proceedings had at the  
 17 aforesaid deposition;  
 18 That the said deposition was taken before me  
 19 at the time and place specified;  
 20 That I am not a relative or employee or  
 21 attorney or counsel for any of the parties herein,  
 22 nor a relative or employee of such attorney or  
 23 counsel for any of the parties hereto, nor am I  
 24 interested directly or indirectly in the outcome of

Page 57

1 this action.  
 2 IN WITNESS WHEREOF, I do hereunto set my  
 3 hand at Chicago, Illinois, this 23rd day of  
 4 September, 2022.  
 5  
 6  
 7   
 8 TRUDY G. GORDON, CSR  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24

Page 58

1 Veritext Legal Solutions  
 2 1100 Superior Ave  
 3 Suite 1820  
 4 Cleveland, Ohio 44114  
 5 Phone: 216-523-1313  
 6  
 7 September 23, 2022  
 8  
 9 To: Ms. Hanohano  
 10  
 11 Case Name: Aqua Illinois, Inc., v. Illinois Environmental Protection  
 12 Agency  
 13 Veritext Reference Number: 5461190  
 14 Witness: Michael Roubitchek Deposition Date: 9/21/2022  
 15  
 16 Dear Sir/Madam:  
 17  
 18 Enclosed please find a deposition transcript. Please have the witness  
 19 review the transcript and note any changes or corrections on the  
 20 included errata sheet, indicating the page, line number, change, and  
 21 the reason for the change. Have the witness' signature notarized and  
 22 forward the completed page(s) back to us at the Production address  
 23 shown  
 24 above, or email to production-midwest@veritext.com.  
 25  
 26 If the errata is not returned within thirty days of your receipt of  
 27 this letter, the reading and signing will be deemed waived.  
 28  
 29 Sincerely,  
 30  
 31 Production Department  
 32  
 33 NO NOTARY REQUIRED IN CA

Page 59

1 DEPOSITION REVIEW  
 2 CERTIFICATION OF WITNESS  
 3  
 4 ASSIGNMENT REFERENCE NO: 5461190  
 5 CASE NAME: Aqua Illinois, Inc., v. Illinois Environmental  
 6 Protection Agency  
 7 DATE OF DEPOSITION: 9/21/2022  
 8 WITNESS' NAME: Michael Roubitchek  
 9 In accordance with the Rules of Civil  
 10 Procedure, I have read the entire transcript of  
 11 my testimony or it has been read to me.  
 12 I have made no changes to the testimony  
 13 as transcribed by the court reporter.  
 14  
 15 Date \_\_\_\_\_  
 16 Michael Roubitchek  
 17 Sworn to and subscribed before me, a  
 18 Notary Public in and for the State and County,  
 19 the referenced witness did personally appear  
 20 and acknowledge that:  
 21 They have read the transcript;  
 22 They signed the foregoing Sworn  
 23 Statement; and  
 24 Their execution of this Statement is of  
 25 their free act and deed.  
 26  
 27 I have affixed my name and official seal  
 28 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 29 \_\_\_\_\_  
 30 Notary Public  
 31 \_\_\_\_\_  
 32 Commission Expiration Date  
 33  
 34  
 35

Page 60

1 DEPOSITION REVIEW  
 2 CERTIFICATION OF WITNESS  
 3  
 4 ASSIGNMENT REFERENCE NO: 5461190  
 5 CASE NAME: Aqua Illinois, Inc., v. Illinois Environmental  
 6 Protection Agency  
 7 DATE OF DEPOSITION: 9/21/2022  
 8 WITNESS' NAME: Michael Roubitchek  
 9 In accordance with the Rules of Civil  
 10 Procedure, I have read the entire transcript of  
 11 my testimony or it has been read to me.  
 12 I have listed my changes on the attached  
 13 Errata Sheet, listing page and line numbers as  
 14 well as the reason(s) for the change(s).  
 15 I request that these changes be entered  
 16 as part of the record of my testimony.  
 17  
 18 I have executed the Errata Sheet, as well  
 19 as this Certificate, and request and authorize  
 20 that both be appended to the transcript of my  
 21 testimony and be incorporated therein.  
 22  
 23 \_\_\_\_\_  
 24 Date Michael Roubitchek  
 25  
 26 Sworn to and subscribed before me, a  
 27 Notary Public in and for the State and County,  
 28 the referenced witness did personally appear  
 29 and acknowledge that:  
 30 They have read the transcript;  
 31 They have listed all of their corrections  
 32 in the appended Errata Sheet;  
 33 They signed the foregoing Sworn  
 34 Statement; and  
 35 Their execution of this Statement is of  
 their free act and deed.  
 I have affixed my name and official seal  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 \_\_\_\_\_  
 Notary Public  
 \_\_\_\_\_  
 Commission Expiration Date

Page 61

1 ERRATA SHEET  
 2 VERITEXT LEGAL SOLUTIONS MIDWEST  
 3 ASSIGNMENT NO: 5461190  
 4 PAGE/LINE(S) / CHANGE /REASON  
 5 \_\_\_\_\_  
 6 \_\_\_\_\_  
 7 \_\_\_\_\_  
 8 \_\_\_\_\_  
 9 \_\_\_\_\_  
 10 \_\_\_\_\_  
 11 \_\_\_\_\_  
 12 \_\_\_\_\_  
 13 \_\_\_\_\_  
 14 \_\_\_\_\_  
 15 \_\_\_\_\_  
 16 \_\_\_\_\_  
 17 \_\_\_\_\_  
 18 \_\_\_\_\_  
 19 \_\_\_\_\_  
 20 \_\_\_\_\_  
 21 Date Michael Roubitchek  
 22 SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_  
 23 DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 24 \_\_\_\_\_  
 25 Notary Public  
 26 \_\_\_\_\_  
 27 Commission Expiration Date

<b>&amp;</b>	19:12,15 20:1	<b>2:00</b> 1:14	<b>60602</b> 2:13
<b>&amp;</b> 10:13,16	21:14,21 22:2	<b>3</b>	<b>60606</b> 2:5
<b>0</b>	24:4,24 25:10	<b>3</b> 3:10 4:22	<b>69</b> 2:12
<b>0071</b> 17:16,23	26:4,11 45:11	14:14 27:14,24	<b>7</b>
<b>084-004077</b> 2:24	47:15 49:16,20	28:1	<b>7100</b> 2:4
56:7	50:20 51:4	<b>30</b> 5:7 18:12	<b>714</b> 48:17
<b>1</b>	52:12	<b>31</b> 5:9	<b>773-590-7824</b>
<b>1</b> 3:8 29:1,11,17	<b>2022</b> 1:14 4:21	<b>312-258-5500</b>	2:14
30:2 48:19	4:23 5:3,7,9,11	2:6	<b>8</b>
<b>1100</b> 58:1	14:24 17:9,17,19	<b>384</b> 21:18	<b>8</b> 4:23
<b>14</b> 3:10 40:18	17:21 19:22	<b>385</b> 21:18	<b>9</b>
41:4,12,18 42:16	21:14 25:21	<b>3:29</b> 55:23	<b>9/21/2022</b> 58:9
43:7,15,22 45:4	26:18 31:19	<b>4</b>	59:3 60:3
49:16,20	32:3,14,21 33:10	<b>4</b> 5:9	<b>a</b>
<b>1741</b> 57:6	33:17,21 34:8	<b>40</b> 22:3 23:1,11	<b>a.d.</b> 1:14
<b>1820</b> 58:2	35:4,17 36:20	<b>44114</b> 58:2	<b>ability</b> 7:12
<b>19</b> 5:11 55:8	37:20 41:13,20	<b>48</b> 3:8	<b>accurate</b> 7:12
<b>1998</b> 9:1	43:17 45:7 47:6	<b>5</b>	56:15
<b>2</b>	50:24 52:19	<b>5</b> 5:9	<b>acknowledge</b>
<b>2</b> 3:9 4:21 30:8	54:5,13,19 55:8	<b>51</b> 3:9	59:11 60:16
30:21 51:10	55:18 57:4 58:4	<b>5461190</b> 58:8	<b>act</b> 59:14 60:20
<b>20</b> 59:16 60:22	<b>2023-012</b> 1:5	59:2 60:2 61:2	<b>acting</b> 11:19
61:22	<b>216-523-1313</b>	<b>588</b> 39:18	<b>action</b> 14:9 57:1
<b>2001</b> 9:2,13	58:3	<b>6</b>	<b>actionable</b> 14:8
<b>2002</b> 9:14,16,17	<b>21st</b> 1:13	<b>6</b> 3:4 4:20 5:2,7	<b>actual</b> 49:18
<b>2008</b> 9:17 10:10	<b>22</b> 5:3	21:14,22 22:2,13	<b>add</b> 16:8
10:12	<b>23</b> 58:4	24:3,24 25:9	<b>addition</b> 5:10
<b>2011</b> 10:14 11:3	<b>233</b> 2:3	26:11 28:16	13:17
11:4	<b>23rd</b> 57:3	33:11,17,21 34:3	<b>additional</b> 4:20
<b>2019</b> 14:6,7 15:3	<b>24</b> 32:14	34:7,14 35:3,17	4:22 5:2,6,8
15:4 38:10	<b>24th</b> 27:19 31:15	35:23 36:5,10	21:13,22 22:2,12
<b>2020</b> 11:7,17,18	31:15	37:20 41:12	24:3,23 25:9
11:21 21:14	<b>26</b> 14:24	45:6,11 47:6	26:10 33:11,17
<b>2021</b> 3:9,11 8:11	<b>28</b> 55:18	50:19	33:20 34:2,7,14
17:24 18:12,16	<b>29</b> 3:11 17:9	<b>60</b> 22:11	35:3,16,22 36:5
18:18,21,24 19:7	51:4 52:12		36:9 37:20
	<b>29th</b> 52:1		



41:12 42:3,20 44:2,10 45:6,11 47:6 50:19 55:4 <b>address</b> 16:1 58:16 <b>administrative</b> 3:8 14:11,20,22 23:1 47:21,23 51:7 55:6 <b>advice</b> 16:9 19:11 20:22 21:4 23:23 25:8 34:17,20 38:24 53:6 <b>affairs</b> 8:24 <b>affixed</b> 59:15 60:21 <b>aforsaid</b> 56:9 56:17 <b>afslaw.com</b> 2:8 <b>agency</b> 1:6 10:11 10:12,15 19:13 19:23 21:4,5 24:8 30:22 36:19 37:19 38:13 46:1,12 58:7 59:3 60:3 <b>agency's</b> 16:16 <b>agree</b> 4:14 <b>agreed</b> 35:15 38:6,12,15,17,19 39:2,9,21 40:11 41:10 43:15 45:5,9,18,24 46:11,18 47:4 <b>agreement</b> 4:5,6 46:5	<b>alex</b> 2:7 4:8 27:24 40:2 43:8 <b>alex.garel</b> 2:8 <b>amanda</b> 2:20 7:24 <b>amended</b> 8:10 47:24 55:6 <b>annmarie</b> 2:15 4:12 8:2 <b>annmarie.hano...</b> 2:16 <b>answer</b> 6:21 15:17,22 16:10 19:4 20:6,10,19 22:8,16,21 23:7 23:16 24:14,20 25:5,12 26:15 28:11 29:8,24 30:6,18,23 32:6 32:18,24 33:24 34:11 35:8,13 36:2,13 37:1,16 38:22 39:5,16 41:8 42:12 43:12 44:8,24 45:16 46:6,22 47:12 50:11 52:16 53:1,19 54:10,15 55:2 <b>answered</b> 7:3 29:20 32:22 <b>anybody</b> 27:4 <b>anytime</b> 19:8 20:24 <b>apologies</b> 43:8 <b>appeal</b> 1:5 4:20 4:22 5:2,6,8,12 14:23 15:13	17:12 19:20 23:10 27:7 <b>appealed</b> 17:11 <b>appear</b> 59:11 60:15 <b>appearances</b> 2:1 <b>appeared</b> 2:9,17 <b>appears</b> 17:8 18:11 <b>appended</b> 60:11 60:18 <b>apply</b> 23:19 <b>appreciate</b> 16:7 49:12 53:9,10 <b>approval</b> 42:23 <b>aqua</b> 1:3 4:10 13:21,24 14:4 15:3 17:11 19:19 20:16 21:1 23:2 24:16 26:2,6,7 27:6,17 28:7,17 38:7,14 41:4 42:3,15,22 44:12,20 50:1 52:6 53:12 54:1 54:3 55:4 58:6 59:3 60:3 <b>aqua's</b> 26:9 32:10 35:22 36:9 45:10 48:7 50:19 <b>arentfox</b> 2:2 4:9 <b>asked</b> 15:19 21:2 21:3 29:19 32:22 36:19 48:24 53:4,7 <b>asking</b> 6:22 23:20,22 28:13	28:15 29:24 39:1 53:10 <b>assert</b> 46:3 <b>assigned</b> 15:5 38:13 39:8,8,12 <b>assignment</b> 59:2 60:2 61:2 <b>assist</b> 36:15 <b>assistance</b> 10:1 10:22 13:4,19 <b>assistant</b> 9:18,22 11:5,9 <b>assume</b> 7:1 9:15 18:22 51:15 <b>assumption</b> 49:17 <b>attached</b> 60:7 <b>attend</b> 20:24 34:18,18 <b>attendance</b> 4:17 <b>attended</b> 53:5 <b>attending</b> 53:11 <b>attorney</b> 2:11 4:7,13 8:1 9:23 9:24 10:5,17 11:13 12:17,22 13:9,13 15:5,6 15:14,20 16:15 16:15 19:1,9 20:3,9,17 21:2,3 21:5 22:5,19 23:4,14 24:11 25:3 26:12 28:9 29:5 30:3,15 32:15 33:22 34:10,19,21 35:5 35:24 36:11,23 37:14 38:13,20
--	--	--	---

<p>39:8,14 41:5,16 42:9 43:9 44:5 44:22 45:13 46:7,19 47:1,8 50:8 52:13,23 53:16 54:7,16 56:21,22 <b>attorneys</b> 12:1 13:2 39:8,13 <b>audible</b> 6:16 <b>august</b> 4:21,23 5:3,7,9 11:21 14:24 <b>authority</b> 13:11 <b>authorize</b> 60:11 <b>ave</b> 58:1 <b>aware</b> 14:3 32:12 35:19</p>	<p><b>bates</b> 48:5 <b>beginning</b> 4:6 37:6 42:3 <b>begins</b> 17:5 34:24 41:23 <b>behalf</b> 2:9,17 4:10,13 50:3 <b>believe</b> 8:10 11:21 15:21 18:13 20:9 22:20 26:1 29:4 29:19 30:13 33:11 36:24 44:19 52:24 <b>beneath</b> 27:18 <b>best</b> 6:20,22 <b>big</b> 18:5 <b>bit</b> 40:1 42:2</p>	<p>33:3 <b>c</b> <b>c</b> 5:19 <b>c.s.r.</b> 2:23 <b>ca</b> 58:24 <b>call</b> 27:8,10 <b>called</b> 6:2 <b>calls</b> 47:9 <b>capacity</b> 53:5 <b>career</b> 9:7,9 <b>case</b> 12:23 13:2 13:7,8,10 15:6 19:9 21:1 55:7 58:6 59:3 60:3 <b>cases</b> 9:24 10:7,8 11:13 12:2,3,4,6 12:9,21 13:18 <b>cause</b> 1:13 <b>certificate</b> 2:24 56:1 60:11 <b>certification</b> 59:1 60:1 <b>certified</b> 56:3,5 <b>certify</b> 56:7 <b>change</b> 58:14,15 60:8 61:3 <b>changes</b> 58:13 59:7 60:7,9 <b>chat</b> 48:21,24 <b>check</b> 48:21,24 <b>chicago</b> 2:5,13 9:2,12 57:3 <b>chris</b> 8:2 47:19 48:15,21,24 <b>christopher</b> 2:21 <b>civil</b> 59:5 60:5</p>	<p><b>clarification</b> 6:23 <b>clarify</b> 6:24 <b>clarity</b> 14:20 <b>clear</b> 6:19 16:5 <b>cleveland</b> 58:2 <b>client</b> 15:14,20 16:15 19:1 20:3 20:9,17 22:5,19 23:4,14,24 24:11 25:3 26:12 28:9 28:14 29:5 30:3 30:15 32:15 33:22 34:10,20 35:5,24 36:11,23 37:14 38:20 39:14 41:5,16 42:9 43:9 44:5 44:22 45:13 46:7,19 47:1,8 50:8 52:13,23 53:16 54:7,16 <b>clients</b> 10:24 <b>code</b> 23:1 <b>collect</b> 42:3 <b>collected</b> 42:22 44:3 <b>college</b> 9:2 <b>come</b> 10:9 12:12 12:19 17:21 <b>commencement</b> 56:8 <b>commission</b> 59:19 60:25 61:25 <b>common</b> 46:5 <b>communications</b> 38:24 46:4</p>
<p><b>b</b></p>	<p><b>blank</b> 6:10 <b>board</b> 1:1 <b>bolded</b> 27:18 28:24 29:11,16 30:1,8,21 <b>break</b> 7:2,4 40:3 40:11 55:10 <b>brief</b> 9:11 40:3 <b>briefly</b> 49:9 <b>brought</b> 33:9 41:17 <b>brown</b> 19:21 <b>bullet</b> 29:1,11,17 30:2 <b>bullets</b> 30:9,22 <b>bureau</b> 9:18 10:2,6 11:6,10 11:12,16 12:2 13:13,20 18:12 19:8 30:24 31:1</p>	<p><b>cause</b> 1:13 <b>certificate</b> 2:24 56:1 60:11 <b>certification</b> 59:1 60:1 <b>certified</b> 56:3,5 <b>certify</b> 56:7 <b>change</b> 58:14,15 60:8 61:3 <b>changes</b> 58:13 59:7 60:7,9 <b>chat</b> 48:21,24 <b>check</b> 48:21,24 <b>chicago</b> 2:5,13 9:2,12 57:3 <b>chris</b> 8:2 47:19 48:15,21,24 <b>christopher</b> 2:21 <b>civil</b> 59:5 60:5</p>	<p><b>clarification</b> 6:23 <b>clarify</b> 6:24 <b>clarity</b> 14:20 <b>clear</b> 6:19 16:5 <b>cleveland</b> 58:2 <b>client</b> 15:14,20 16:15 19:1 20:3 20:9,17 22:5,19 23:4,14,24 24:11 25:3 26:12 28:9 28:14 29:5 30:3 30:15 32:15 33:22 34:10,20 35:5,24 36:11,23 37:14 38:20 39:14 41:5,16 42:9 43:9 44:5 44:22 45:13 46:7,19 47:1,8 50:8 52:13,23 53:16 54:7,16 <b>clients</b> 10:24 <b>code</b> 23:1 <b>collect</b> 42:3 <b>collected</b> 42:22 44:3 <b>college</b> 9:2 <b>come</b> 10:9 12:12 12:19 17:21 <b>commencement</b> 56:8 <b>commission</b> 59:19 60:25 61:25 <b>common</b> 46:5 <b>communications</b> 38:24 46:4</p>

54:12 <b>companies</b> 10:22 <b>companion</b> 31:14 <b>company</b> 37:11 <b>completed</b> 58:16 <b>compliance</b> 10:22 42:4,21 44:2 47:5 <b>concerning</b> 56:10 <b>concert</b> 39:7 <b>concierge</b> 2:20 14:13,16 15:10 18:4 21:17 25:15 33:13 47:16 48:17,19 48:24 51:5,9 55:20 <b>condition</b> 4:20 4:22 5:2,6,8 21:14,22 22:2,12 24:3,23 25:9 26:10 28:16 33:11,17,20 34:3 34:7,14 35:1,3 35:16,23 36:5,9 37:20 40:16 41:4,11,12 45:6 45:11 47:6 50:19 <b>conduct</b> 16:14 <b>confidential</b> 16:16,17 <b>connection</b> 43:17 44:11 <b>consider</b> 16:24	<b>consideration</b> 24:4,8,16 <b>consist</b> 10:20 19:20 <b>constitute</b> 4:18 <b>constitutes</b> 56:15 <b>construction</b> 18:11 <b>consult</b> 10:1 11:15 13:3,20 <b>consulted</b> 24:22 25:2 <b>contact</b> 50:23 <b>contacted</b> 27:2,4 29:10 34:13 43:20 <b>contaminant</b> 12:13 <b>context</b> 10:9 13:16 23:10 <b>continue</b> 16:2 53:7 <b>continuing</b> 16:24 46:3 54:14 <b>control</b> 1:1 14:16 18:14 39:23 49:9 <b>cook</b> 19:21 26:8 26:17,21,24 32:1 32:21 <b>copper</b> 23:21 35:11 <b>copy</b> 17:14,18 18:17 26:5 <b>corrections</b> 58:13 60:17 <b>corrosion</b> 18:14	<b>counsel</b> 7:21,23 9:18,22 10:2 11:5,9,19 16:4,6 16:9 23:23 53:4 53:5 56:21,23 <b>county</b> 59:10 60:15 <b>court</b> 4:3 6:16 16:13 59:7 <b>csr</b> 56:6 57:7 <b>curran</b> 2:20 <b>current</b> 13:16 17:11 <b>customary</b> 18:23 <b>d</b> <b>d</b> 3:1 <b>date</b> 26:20 49:17 49:18,19 50:14 58:9 59:3,9,19 60:3,13,25 61:20 61:25 <b>dated</b> 5:11 32:14 51:4 55:8 <b>david</b> 19:21 <b>day</b> 1:13 17:19 17:20 18:18,19 31:23 57:3 59:16 60:22 61:22 <b>days</b> 26:2 58:19 <b>dealt</b> 10:22 <b>dear</b> 58:10 <b>deck</b> 51:22 <b>deed</b> 59:14 60:20 <b>deemed</b> 58:20 <b>denial</b> 35:22	<b>denying</b> 36:9 <b>department</b> 58:22 <b>deposed</b> 7:15 <b>deposition</b> 3:7 4:2,18 7:20 8:19 37:6 48:20 51:10 55:21 56:12,17,18 58:9 58:12 59:1,3 60:1,3 <b>deputy</b> 11:19 53:3 <b>describe</b> 18:10 25:23 <b>described</b> 51:16 <b>description</b> 3:7 <b>differences</b> 32:12 <b>direct</b> 34:20 <b>directed</b> 34:19 41:24 42:8 <b>direction</b> 56:15 <b>directly</b> 56:24 <b>disagree</b> 15:19 20:8 22:18 23:18 30:2 36:22 45:2 46:23 52:21 <b>disclosed</b> 46:8 54:17 <b>discuss</b> 17:22 19:12,15 26:17 27:2,6 29:11 30:20 32:2,5,20 34:2,7,13 43:14 43:21 46:10,17 50:23 52:18
---	--	--	--

[discussed - following]

Page 5

<p><b>discussed</b> 20:1 26:21,23 27:5 29:16,19 30:24 31:6 32:8,13 33:1 45:18,23 50:13</p> <p><b>discussing</b> 40:10</p> <p><b>discussion</b> 19:18 33:3 34:5</p> <p><b>dismiss</b> 4:19,21 5:1,6,8</p> <p><b>dispute</b> 41:15,19</p> <p><b>docket</b> 48:6</p> <p><b>doctorate</b> 9:1</p> <p><b>doctrine</b> 36:24</p> <p><b>document</b> 17:4,7 18:8 21:24 25:23 27:22 31:11,14,18 32:2 32:20 33:2,18 36:7 38:3 40:24 49:4 51:13,14</p> <p><b>documents</b> 6:6 8:8,13,15 26:1</p> <p><b>dr</b> 3:9,10 47:14 49:7,13,15 50:14 51:4,15 52:4,11 53:15,21,24</p> <p><b>draft</b> 18:24 19:10 34:4,8,13 36:20 37:6 38:19 39:9</p> <p><b>drafted</b> 39:2</p> <p><b>drafting</b> 24:23 25:9 34:2 36:15 43:17 54:13</p> <p><b>drafts</b> 18:20 19:10 54:5</p>	<p><b>drinking</b> 11:15</p> <p><b>drive</b> 2:3</p> <p><b>due</b> 4:1</p> <p><b>duly</b> 4:15 6:2 56:10</p> <p><b>dumping</b> 10:7</p> <p><b>duty</b> 16:13</p> <p style="text-align: center;"><b>e</b></p> <p><b>e</b> 3:1,5 5:19</p> <p><b>earlier</b> 13:17 19:21 27:9 54:15</p> <p><b>educational</b> 8:22</p> <p><b>edwards</b> 3:9,10 47:14 49:7,13,15 50:14 51:4,15,22 52:4,11 53:15,21 53:24</p> <p><b>either</b> 49:9</p> <p><b>eliminate</b> 35:1</p> <p><b>elimination</b> 34:24</p> <p><b>email</b> 58:17</p> <p><b>employee</b> 56:20 56:22</p> <p><b>enclosed</b> 58:12</p> <p><b>energy</b> 10:18,23 11:1</p> <p><b>enforcement</b> 9:19,23 10:3,5 11:6,13,20 12:2 12:16 13:16,18 15:6 19:9,19 27:7 38:14 54:1</p> <p><b>entered</b> 38:6,8 60:9</p>	<p><b>entire</b> 59:5 60:5</p> <p><b>entitled</b> 1:13</p> <p><b>entry</b> 41:23</p> <p><b>environmental</b> 1:6 8:24 10:17 10:23 45:24 46:12 58:6 59:3 60:3</p> <p><b>epa</b> 7:24 9:11,14 9:16 14:23 15:5 17:9 36:8 41:17 42:8,23 43:16 44:11,16 45:20 48:5 50:2,4 52:6 52:7 55:6</p> <p><b>epa's</b> 35:21</p> <p><b>errata</b> 58:14,19 60:7,10,18 61:1</p> <p><b>estate</b> 9:12</p> <p><b>exam</b> 9:6</p> <p><b>examination</b> 3:4 6:4 56:9</p> <p><b>examined</b> 6:3</p> <p><b>exceedance</b> 14:8</p> <p><b>exception</b> 17:8 17:15 31:17 32:11</p> <p><b>excluded</b> 47:20 48:3</p> <p><b>excuse</b> 27:23</p> <p><b>executed</b> 60:10</p> <p><b>execution</b> 59:14 60:19</p> <p><b>exhibit</b> 3:8,9,10 14:14 48:19 51:10</p> <p><b>exhibits</b> 3:7</p>	<p><b>existed</b> 47:5</p> <p><b>expands</b> 51:7</p> <p><b>expert</b> 54:3</p> <p><b>expiration</b> 59:19 60:25 61:25</p> <p><b>extent</b> 46:7 54:16</p> <p style="text-align: center;"><b>f</b></p> <p><b>f14</b> 39:21 40:16</p> <p><b>factual</b> 20:20 39:1</p> <p><b>familiar</b> 6:15 13:21 17:4 18:7 31:10 35:15 38:2 51:12 53:21,23</p> <p><b>far</b> 19:11</p> <p><b>file</b> 4:23 14:11 18:5 48:5</p> <p><b>filed</b> 4:20,22 5:2 5:7,9 14:23 55:6</p> <p><b>final</b> 17:18 18:17</p> <p><b>find</b> 58:12</p> <p><b>fine</b> 14:2 18:1</p> <p><b>firm</b> 9:12 10:13 10:18</p> <p><b>first</b> 6:2 9:8 12:24 14:3,21 17:14,22 22:1 31:21 33:20 49:15</p> <p><b>five</b> 5:7</p> <p><b>focusing</b> 11:19</p> <p><b>folks</b> 33:3</p> <p><b>following</b> 33:12 33:13 36:5 50:14</p>
--	--	---	--

<p><b>follows</b> 6:3  <b>foregoing</b> 56:12  59:13 60:18  <b>forward</b> 58:16  <b>forwarded</b> 26:8  31:24  <b>foundation</b>  29:14  <b>four</b> 5:3 12:1  <b>frantzen</b> 2:7,8  3:4 4:8,9 5:13  5:16,20 6:5  14:10,15,18 15:1  15:8,11,18 16:5  16:23 17:3 18:2  18:5,6 19:5 20:7  20:14,20,21 21:8  21:11,15,18,19  22:9,17,23 23:8  23:18 24:1,15,21  25:7,13,16 26:16  27:13,15 28:2,6  28:12,19,21,23  29:9,15 30:7,19  31:7,9 32:19  33:6,8,14,15  34:1,12,16 35:9  35:14 36:3,14,18  36:22 37:8,9,17  37:22 38:1,23  39:11,17,19 40:5  40:9,21,23 41:2  41:9,15,21 42:13  42:18 43:5,13,19  44:1,9,14,18  45:2,8,17,22  46:9,16,23 47:3  47:13,19 48:3,12</p>	<p>48:18,22 49:2  50:12,17,22 51:3  51:6,11 52:17,21  53:9,13,20 54:4  54:11,20 55:3,11  55:19  <b>free</b> 59:14 60:20  <b>front</b> 6:7,9,11  14:21  <b>full</b> 5:17  <b>fun</b> 10:8  <b>function</b> 11:11  <b>funding</b> 11:1  <b>further</b> 42:2,8  <b>fy2022</b> 17:16,23</p> <hr/> <p style="text-align: center;"><b>g</b></p> <hr/> <p><b>g</b> 2:23 56:5 57:7  <b>gain</b> 37:19  <b>gamut</b> 10:6  <b>garel</b> 2:7 3:4 4:8  4:9 5:13,16,20  6:5 14:10,15,18  15:1,8,11,18  16:5,23 17:3  18:2,5,6 19:5  20:7,14,20,21  21:8,11,15,18,19  22:9,17,23 23:8  23:18 24:1,15,21  25:7,13,16 26:16  27:13,15 28:2,6  28:12,19,21,23  29:9,15 30:7,19  31:7,9 32:19  33:6,8,14,15  34:1,12,16 35:9  35:14 36:3,14,18  36:22 37:8,9,17  37:22 38:1,23  39:11,17,19 40:5  40:9,21,23 41:2  41:9,15,21 42:13  42:18 43:5,13,19  44:1,9,14,18  45:2,8,17,22  46:9,16,23 47:3  47:13,19 48:3,12</p>	<p>36:22 37:8,9,17  37:22 38:1,23  39:11,17,19 40:5  40:9,21,23 41:2  41:9,15,21 42:13  42:18 43:5,13,19  44:1,9,14,18  45:2,8,17,22  46:9,16,23 47:3  47:13,19 48:3,12  48:18,22 49:2  50:12,17,22 51:3  51:6,11 52:17,21  53:9,13,20 54:4  54:11,20 55:3,11  55:19  <b>general</b> 2:11  9:20 11:8,19  53:3  <b>general's</b> 4:13  8:1 9:24 11:13  12:18 13:13  15:7 39:9  <b>generally</b> 10:19  23:9,20  <b>geographic</b>  24:17  <b>getting</b> 18:4  <b>give</b> 13:3 14:16  39:22 40:22  44:11 47:17  <b>given</b> 24:5,9,17  49:23 52:4  56:16  <b>giving</b> 6:21  <b>go</b> 6:13 15:9  18:2 20:13 21:6  21:17 25:13</p>	<p>27:13 28:21  31:7 33:6 37:22  39:17 51:3  55:19  <b>godfrey</b> 10:13,16  <b>goes</b> 19:11  <b>going</b> 15:16 16:8  16:10,19 19:3  20:5,18 22:7,15  23:6,16,22 24:13  24:19 25:5,12  26:14 27:6  28:10 29:7,13  30:5,17 31:3  32:17 33:10,23  34:9 35:7,13  36:2,13 37:16  38:21 39:15  40:4 41:7 42:11  43:11 44:7,24  45:15 46:3,21  47:11 48:10  50:10 51:14  52:15 53:18  54:9  <b>good</b> 5:14 55:11  <b>gordon</b> 2:23  56:5 57:7  <b>graduated</b> 8:23  <b>graduating</b> 9:4  <b>grant</b> 2:21 8:2  10:24 11:1  27:23 28:3  47:22 48:9,14  49:1  <b>granting</b> 45:10  <b>great</b> 9:3</p>
--	---	--	---

<p><b>ground</b> 6:13 7:9  <b>group</b> 19:18                  20:15 27:8 31:5                  31:6 32:8 33:3</p>	<p><b>happened</b> 14:7  <b>hard</b> 49:5  <b>hearing</b> 5:10                  15:23 16:2</p>	<p>59:3,3 60:3,3  <b>important</b> 6:18  <b>imposed</b> 37:12                  42:15 43:21</p>	<p><b>instance</b> 23:19  <b>instances</b> 22:17  <b>instruct</b> 15:16                  19:3 20:5,18</p>
<p><b>h</b></p>	<p>20:11 22:22</p>	<p><b>impressions</b> 16:3</p>	<p>22:7,15 23:6,16</p>
<p><b>h</b> 3:5 5:19  <b>hand</b> 57:3  <b>handle</b> 12:4  <b>handles</b> 19:19  <b>handling</b> 12:22                  13:6,8  <b>hanohano</b> 2:15                  4:12,12,17 8:3                  15:14 16:1,12                  19:1 20:3,17                  21:6 22:5,14</p>	<p>37:3 53:2 55:7                  55:17  <b>helpful</b> 39:22  <b>helping</b> 10:24  <b>hereto</b> 56:23  <b>hereunto</b> 57:2  <b>highest</b> 24:5,9  <b>hopes</b> 37:19  <b>hour</b> 8:7 40:4                  55:21</p>	<p>16:6 23:23                  38:24 53:7  <b>inaccurate</b> 29:4                  30:14  <b>include</b> 7:23,24                  8:1 11:14 16:11  <b>included</b> 19:22                  34:5,5 41:12                  48:4,11,13 50:1                  58:14</p>	<p>24:13,19 25:5,12                  26:14 28:11                  29:7 30:5,17                  32:17 33:24                  35:7,13 36:2,13                  37:16 38:22                  39:16 41:7                  42:11 43:11                  44:7,24 45:15                  46:21 47:11</p>
<p>23:4,14 24:11,18</p>	<p><b>i</b></p>	<p><b>inclusion</b> 48:6</p>	<p>50:10 52:15</p>
<p>25:3,11 26:12                  28:9,18 29:5,13                  30:3,15 32:15,22                  33:22 34:9,15                  35:5,12,24 36:11                  36:17,21 37:14                  37:21 38:20                  39:4,14 40:2,6                  40:19 41:5,14                  42:9,17 43:4,8                  43:18,23 44:5,13                  44:17,22 45:13                  45:21 46:2,13,19                  47:8 48:15 50:8                  50:16,21 51:2                  52:13,20 53:3,16                  54:7,14 55:9,12                  55:15 58:5</p>	<p><b>identified</b> 8:20  <b>identify</b> 6:8  <b>identifying</b>                  46:24  <b>iepa</b> 11:2 45:10                  46:4  <b>ilag.gov</b> 2:16  <b>illinois</b> 1:1,3,6                  2:5,11,13 4:10                  7:24 9:10,14,16                  13:21 14:23                  15:5 16:13 17:9                  20:16 23:1,2,12                  23:21,21 27:17                  28:17 35:21                  36:8 38:7 41:17                  42:8,23 43:16                  44:11,16 45:19                  48:5 50:2,4 52:6                  52:7 53:12 55:6                  56:6 57:3 58:6,6</p>	<p>45:6 60:12  <b>incorporated</b>                  41:19  <b>incorporating</b>                  41:19  <b>independent</b>                  16:13  <b>indiana</b> 8:24  <b>indicate</b> 4:5                  21:23 49:13  <b>indicating</b> 58:14  <b>indirectly</b> 56:24  <b>individual</b> 31:4                  32:7  <b>individually</b>                  12:4  <b>information</b>                  16:17 21:4                  44:10,15 46:8                  52:11 54:16</p>	<p>53:18 54:9  <b>instructed</b> 46:6  <b>instructions</b> 7:9  <b>intend</b> 15:22                  20:11 22:21                  37:2 53:1  <b>interest</b> 46:5  <b>interested</b> 56:24  <b>interfere</b> 7:11  <b>interim</b> 35:15                  38:6,12,15,17,19                  39:3,10,21 40:11                  41:10 43:15                  45:5,9,18,24                  46:11,18 47:4</p>
<p><b>happen</b> 14:17</p>	<p>52:7 53:12 55:6                  56:6 57:3 58:6,6</p>	<p><b>input</b> 21:3  <b>inquiry</b> 20:20                  39:1</p>	<p><b>interpretation</b>                  41:18 45:4  <b>interrupt</b> 6:20                  6:22  <b>interrupting</b>                  27:23</p>

<p><b>introduced</b> 14:13 51:9</p> <p><b>involved</b> 19:6 38:11</p> <p><b>involvement</b> 54:1</p> <p><b>irrelevant</b> 37:15</p> <p><b>issuance</b> 19:6,13 19:16 20:2 25:20 26:18 31:19 32:3,21 50:24 52:19</p> <p><b>issue</b> 15:23 16:1 20:11 22:22 27:6 37:2 53:2</p> <p><b>issued</b> 17:9,20 18:12,19 37:10</p> <p><b>issues</b> 7:11 10:21 12:3,12 13:3 19:19</p> <p><b>italicized</b> 27:18</p>	<p><b>june</b> 14:5,7 15:3 17:9</p> <p><b>juris</b> 9:1</p> <p><b>k</b></p> <p><b>k</b> 5:19</p> <p><b>kahn</b> 10:13,16</p> <p><b>katy</b> 8:1</p> <p><b>keep</b> 16:16 48:7</p> <p><b>kent</b> 9:2,5</p> <p><b>kimmel</b> 2:20 7:24</p> <p><b>kind</b> 12:11</p> <p><b>know</b> 7:2 12:15 13:3,10,19 16:16 17:10 27:4 36:6 40:2</p>	<p>29:20 30:24 31:15,16,16,22 32:11,13,13 58:20</p> <p><b>level</b> 14:9</p> <p><b>levels</b> 12:13</p> <p><b>liaison</b> 13:4,12</p> <p><b>license</b> 56:6</p> <p><b>limited</b> 53:24 54:18</p> <p><b>line</b> 58:14 60:7 61:3</p> <p><b>listed</b> 60:7,17</p> <p><b>listing</b> 60:7</p> <p><b>little</b> 40:1 42:2</p> <p><b>llp</b> 2:2</p> <p><b>long</b> 8:6</p> <p><b>longer</b> 43:3 47:4</p> <p><b>look</b> 22:1 24:2 34:23 36:4</p> <p><b>looking</b> 21:24 27:22 33:18 36:7 40:15,24</p> <p><b>lot</b> 10:24</p> <p><b>loud</b> 29:23</p>	<p><b>mary</b> 19:22</p> <p><b>matter</b> 12:16 19:19 26:2 27:7 38:14 54:2</p> <p><b>matters</b> 9:19 10:3,23 20:16 56:11</p> <p><b>maximum</b> 12:13</p> <p><b>mean</b> 16:9 42:7</p> <p><b>meaning</b> 33:20</p> <p><b>means</b> 27:5 35:3 42:20</p> <p><b>meet</b> 8:4,6</p> <p><b>meeting</b> 8:9,16 19:24 20:24 27:10 28:14 31:6 32:8 34:18 50:1 51:21 52:5 52:8,12</p> <p><b>meetings</b> 8:18 20:15,23 28:13 53:4,11</p> <p><b>memorandum</b> 4:24 5:4</p> <p><b>mental</b> 16:3,6 23:23 38:23 53:7</p> <p><b>mentioned</b> 13:17 30:23 31:5 32:24 33:4 37:5</p> <p><b>michael</b> 3:3 5:18 6:1 58:9 59:4,9 60:4,13 61:20</p> <p><b>mid</b> 9:17 10:14</p> <p><b>midwest</b> 58:17 61:1</p> <p><b>mike</b> 19:21</p>
<p><b>j</b></p>	<p><b>l</b></p> <p><b>lack</b> 29:13</p> <p><b>land</b> 9:18 10:2,6 11:12</p> <p><b>large</b> 14:11</p> <p><b>late</b> 9:13,13</p> <p><b>law</b> 9:2,12 10:13 10:18</p> <p><b>lead</b> 14:9 23:21 24:5,10 35:10,11 37:12</p> <p><b>left</b> 10:12</p> <p><b>legal</b> 9:7,9,11 10:1 13:19 19:11 20:22 23:19 34:17 45:3 47:2 53:6 58:1 61:1</p> <p><b>letter</b> 25:17 26:5 26:10,17,21,24 27:3,20 28:1</p>	<p><b>m</b></p>	
<p><b>jerry</b> 2:20 14:10 15:8 18:2 20:13 21:15 25:13 27:13 28:22 31:7 33:6,10 37:22 39:17,22 47:13,17 49:9 51:3</p> <p><b>job</b> 9:10,11 11:20</p> <p><b>joined</b> 9:16 10:13</p> <p><b>joint</b> 49:24 52:5</p> <p><b>july</b> 3:9 18:12 47:14 49:16,20</p>		<p><b>madam</b> 58:10</p> <p><b>managed</b> 12:1</p> <p><b>management</b> 13:5</p> <p><b>manager</b> 12:22 12:24 13:1</p> <p><b>march</b> 9:14,17 27:19 31:15,15 32:14</p> <p><b>marked</b> 48:19</p>	

<p><b>milwaukee</b> 10:13 <b>mind</b> 13:24 14:10 17:16,24 24:9 40:3 55:9 <b>minute</b> 21:7 <b>minutes</b> 55:21 <b>modification</b> 26:4 <b>modify</b> 28:17 35:22 36:9 45:11 50:19 <b>moment</b> 21:12 21:22 33:16 39:21 40:17 49:8 <b>monitoring</b> 35:10 37:13,19 42:14 43:2 44:11,20 <b>month</b> 22:4,12 23:2,11 <b>monthly</b> 35:10 37:12,19 42:14 42:21 43:2 44:4 44:10,20 47:5 <b>moot</b> 5:9 <b>morning</b> 5:14,15 <b>motion</b> 4:19,21 4:23 5:1,3,5,7</p>	<p><b>necessary</b> 43:3,6 44:20 47:7 51:20 <b>need</b> 4:1 7:2 14:17 15:21 <b>needed</b> 11:16 13:20 15:23 <b>needs</b> 20:10 <b>negotiation</b> 38:11,15,16 <b>negotiators</b> 38:18 <b>nope</b> 7:18 <b>nos</b> 5:9 <b>notarized</b> 58:15 <b>notary</b> 58:24 59:10,18 60:15 60:23 61:23 <b>note</b> 58:13 <b>notepad</b> 6:10 <b>noticing</b> 4:7 <b>november</b> 38:10 <b>number</b> 17:23 29:1,11,17 30:1 30:8 47:18,20 48:1 58:8,14 <b>numbers</b> 60:7</p>	<p>25:3,11 26:12 28:9,18 29:5 30:3,15 32:15 33:22 34:15 35:5,12,24 36:11 36:17,21 37:14 37:21 38:20 39:14 41:5,14 42:9,17,24 43:4 43:18,23 44:5,13 44:17,22 45:13 45:21 46:2,3,13 46:19 47:8 50:8 50:16,21 51:2 52:13,20 53:16 54:7,14 <b>objections</b> 16:7 16:19 <b>obtain</b> 11:1 <b>october</b> 3:11 51:4 52:1,12 <b>offer</b> 49:12 <b>office</b> 2:11 4:13 8:1 9:24 11:13 12:18 13:13 15:7 39:9 <b>officer</b> 5:11 15:23 20:12 22:22 37:3 53:2 <b>officer's</b> 55:8 <b>official</b> 11:20 59:15 60:21 <b>oh</b> 33:14 40:21 <b>ohio</b> 58:2 <b>oil</b> 10:7 <b>okay</b> 14:15 17:1 21:24 27:22 33:18 36:7 41:1</p>	<p>47:22 48:14 <b>once</b> 55:5 <b>open</b> 10:7 <b>opinion</b> 53:14 <b>opportunity</b> 51:17 <b>opposition</b> 5:1,5 <b>order</b> 5:11 35:16 38:6,12,15,17,19 39:3,10,21 40:11 41:11,18,23 43:16 45:5,10,19 45:24 46:11,18 47:4 55:8 <b>original</b> 47:22 48:2,15 51:6 <b>orthophosphate</b> 18:15 <b>outcome</b> 56:24 <b>outside</b> 13:15 23:10 <b>overseeing</b> 13:1</p>
<p><b>n</b></p>	<p><b>o</b></p>	<p><b>objections</b> 16:7 16:19 <b>obtain</b> 11:1 <b>october</b> 3:11 51:4 52:1,12 <b>offer</b> 49:12 <b>office</b> 2:11 4:13 8:1 9:24 11:13 12:18 13:13 15:7 39:9 <b>officer</b> 5:11 15:23 20:12 22:22 37:3 53:2 <b>officer's</b> 55:8 <b>official</b> 11:20 59:15 60:21 <b>oh</b> 33:14 40:21 <b>ohio</b> 58:2 <b>oil</b> 10:7 <b>okay</b> 14:15 17:1 21:24 27:22 33:18 36:7 41:1</p>	<p><b>p</b> <b>p.m.</b> 1:14 55:23 <b>packaging</b> 13:10 <b>page</b> 3:2,7 21:16 27:14,24 28:1,22 29:1,17 30:9 33:12,13 38:9 39:23,24 47:17 47:20 48:1 49:5 58:14,16 60:7 61:3 <b>pamenter</b> 8:2 <b>paragraph</b> 27:17 27:18 29:16 30:21 36:5</p>
<p><b>n</b> 3:1 <b>name</b> 4:6,8 5:17 58:6 59:3,4,15 60:3,4,21 <b>nature</b> 16:19</p>	<p><b>o</b> 5:19 <b>o'clock</b> 1:14 <b>oath</b> 7:6 <b>object</b> 16:2 29:13 34:9 53:8 <b>objection</b> 15:14 16:12 19:1 20:3 20:17 22:5,14 23:4,14 24:11,18</p>	<p></p>	<p></p>



40:16,18 41:12 41:18 42:16 43:15,22 45:4 <b>paragraphs</b> 28:5 29:3 30:13,20 31:2 <b>park</b> 13:22 14:9 <b>part</b> 9:8,11 18:24 27:19 50:18 60:9 <b>parties</b> 4:2 56:21 56:23 <b>passed</b> 9:6 <b>pcb</b> 1:5 <b>pen</b> 6:12 <b>pending</b> 4:19 7:3 <b>performed</b> 11:11 <b>permission</b> 4:23 5:3 <b>permit</b> 1:5 4:20 4:21 5:2,6,8 8:11 14:23 15:13 17:9,10,11 17:15,17,19,21 17:22,24,24 18:11,16,18,21 18:24 19:7,12,15 19:20 20:1 21:14,21 22:2 23:10 24:4,24 25:10,21 26:4,11 26:18 27:7 31:16,17,19 32:3 32:12,21 33:10 33:17,21 34:8 35:4,17 36:20 37:10,20 41:13 41:20 43:17	45:7,12 47:6 50:20 51:1 52:19 54:6,13,19 <b>permits</b> 19:10 37:7 <b>person</b> 6:19 13:12 31:4 33:1 <b>personal</b> 56:14 <b>personally</b> 59:11 60:15 <b>petitioner</b> 1:4 2:9 <b>petitioner's</b> 4:24 5:4 <b>phone</b> 58:3 <b>phrase</b> 42:7 <b>pinpoint</b> 19:17 31:23 32:7 33:1 51:24 <b>place</b> 4:2 56:19 <b>plan</b> 16:20 <b>playing</b> 18:23 <b>please</b> 4:5 5:16 6:8,23 7:1 15:9 16:22 18:2,10 20:13 21:7,21 25:13,23 27:16 31:7 33:16 37:22 39:17,20 40:22 47:18 55:10 58:12,12 <b>point</b> 10:2 13:12 <b>pointed</b> 21:16 <b>pollution</b> 1:1 <b>portion</b> 36:20 39:2 <b>portions</b> 39:9	<b>position</b> 9:15,21 11:3,17 <b>practice</b> 10:19 31:24 <b>preparation</b> 8:19 49:19 <b>prepare</b> 7:19 <b>present</b> 2:20 11:22 50:3 51:21 52:2,8 <b>presentation</b> 3:9 3:10 47:14 48:8 49:7,11,13,16,18 49:21,22 50:7,13 50:18,24 51:4,15 51:19 52:1,3,18 <b>presentations</b> 48:6 <b>presented</b> 51:22 52:11 <b>previous</b> 30:23 56:8 <b>previously</b> 33:4 47:20 <b>prior</b> 8:16 17:22 17:23 19:13,16 20:1 25:20 26:18 31:18 32:3,21 40:11 43:16 50:24 52:19 <b>privilege</b> 15:15 15:15,20,21 16:15 19:2,2 20:4,9,18 22:6,6 22:19,19 23:5,5 23:15,15 24:12 24:12 25:4	26:13,13 28:10 28:10 29:6,6 30:4,4,16,16 32:16,16 33:23 33:23 34:10,10 35:6,6 36:1,12 36:12,24 37:15 38:21,21 39:15 39:15 41:6,6 42:10,10 43:9,10 44:6,6,23,23 45:3,14,14 46:20 47:2,9,9 50:9,9 52:14,14,23,23 53:17,17 54:8,8 <b>privileged</b> 38:24 46:7 48:8 54:16 <b>privileges</b> 23:19 41:17 <b>procedural</b> 12:16 <b>procedure</b> 59:5 60:5 <b>proceedings</b> 1:12 56:16 <b>process</b> 12:17 <b>product</b> 15:15 15:21 16:15 19:2 22:6,19 23:5,15 24:12 26:13 28:10 29:6 30:4,16 32:16 33:23 34:10 35:6 36:12,24 38:21 39:15 41:6,17 42:10 43:9 44:6 44:23 45:14
---	---	---	--

47:9 50:9 52:14 52:23 53:17 54:8 <b>production</b> 58:16,17,22 <b>professional</b> 16:14 <b>prohibit</b> 45:10 <b>projects</b> 11:1 <b>prosecutorial</b> 13:11 <b>protect</b> 16:14 <b>protected</b> 15:20 20:8 22:18 36:23 41:16 45:3 47:1 52:22 <b>protection</b> 1:6 46:1,12 58:6 59:3 60:3 <b>provide</b> 6:15 7:12 11:15 13:19 14:19 21:4 53:6 <b>provided</b> 7:9 10:1 14:22 19:11 <b>public</b> 8:24 12:7 12:18 13:22 23:2,12 37:11 48:6 59:10,18 60:15,23 61:23 <b>pull</b> 47:14 <b>pulling</b> 14:11 <b>purpose</b> 25:8 <b>purposes</b> 14:20 16:24 <b>put</b> 45:5	<b>pws</b> 12:9 <b>q</b> <b>question</b> 6:22 15:17,22 16:10 16:22 19:4 20:6 20:10,19 21:2 22:8,16,21 23:7 23:17 24:14 26:15 28:11 29:8 30:6 33:24 35:8 40:3 41:8 42:12 43:12 44:8 45:1,5,16 46:22 47:12 50:11 52:16 53:19 54:10,18 <b>questions</b> 6:16 6:17,24 7:3,17 16:3 34:19 36:23 37:2 46:4 53:1,4,6,8,10 55:4,15,16 <b>quick</b> 55:9 <b>quite</b> 10:24 <b>quote</b> 44:2,3 <b>r</b> <b>r</b> 5:19 <b>r000001</b> 25:14 <b>r000004</b> 29:12 29:17 30:10 <b>r000014</b> 15:9 <b>r000015</b> 33:12 <b>r0000581</b> 37:23 <b>r00014</b> 17:5 33:7 <b>r00016</b> 20:13 <b>r000383</b> 18:3	<b>r000588</b> 40:16 <b>r00452</b> 51:8 <b>r00470</b> 51:8 <b>r8</b> 31:8 <b>raise</b> 15:22 20:11 22:21 37:2 53:1 <b>raises</b> 16:12 <b>range</b> 48:5 <b>read</b> 21:13,22 27:16 28:4,4 33:17 36:6 39:21 40:17 54:20,21 59:5,6 59:12 60:5,6,17 <b>reading</b> 54:23 58:20 <b>ready</b> 12:17 <b>real</b> 9:12 <b>reason</b> 58:15 60:8 61:3 <b>recall</b> 19:24 26:7 26:20,23 31:3,21 39:12 43:20 50:3,5 52:7,9 54:5 55:5 <b>receipt</b> 5:10 58:19 <b>receive</b> 17:14 18:16,17 26:5 <b>received</b> 17:18 26:7 31:21 32:1 54:6 <b>receives</b> 42:22 <b>recollection</b> 38:10 <b>record</b> 3:8 4:6 5:12,17 6:20	8:10 14:12,20,22 15:18 16:8,18,22 20:7 21:6,10 28:1,2,13 40:8 47:21,23 48:2,4 48:10 51:7 54:21 55:7,14,19 55:20,22 56:15 60:9 <b>redacted</b> 48:16 51:7 <b>reduced</b> 56:14 <b>reed</b> 19:22 <b>refer</b> 11:12 13:24 17:16,23 <b>reference</b> 41:19 45:6 58:8 59:2 60:2 <b>referenced</b> 27:9 30:21 35:16 59:11 60:15 <b>referral</b> 12:17 <b>referred</b> 9:23 <b>referring</b> 10:4 13:11 <b>refers</b> 13:2 <b>refineries</b> 10:7 <b>refresh</b> 21:13 49:10 51:18 <b>regarding</b> 46:4 <b>regards</b> 31:2 <b>regulations</b> 23:22 <b>regulatory</b> 13:19 <b>related</b> 11:12 19:19 <b>relation</b> 15:2 25:9
--	--	--	--

<b>relative</b> 56:20,22 <b>rely</b> 16:19 <b>remember</b> 40:12 <b>remote</b> 2:1 <b>remotely</b> 4:2,11 <b>renewable</b> 11:1 <b>repeating</b> 16:21 <b>reply</b> 4:24 5:4 <b>reported</b> 2:23 56:13 <b>reporter</b> 4:1,3 6:17 56:3,6 59:7 <b>representation</b> 24:17 49:6 <b>representatives</b> 50:1 52:6 53:12 <b>request</b> 26:3,10 28:16 32:11 35:22 36:9 45:11 48:7 50:19 60:9,11 <b>requested</b> 20:15 31:16 54:22 <b>requesting</b> 26:3 31:17 <b>require</b> 23:1 <b>required</b> 22:20 23:12 35:10 37:1 47:6 52:24 58:24 <b>requirement</b> 22:4,12 37:13 42:15 <b>requirements</b> 12:14 41:11 43:15,21 45:23 46:10,17	<b>requires</b> 41:4 <b>requiring</b> 37:19 <b>reserves</b> 5:11 55:5,16 <b>respondent</b> 1:7 2:17 4:14 5:10 55:16 <b>respondent's</b> 4:19 5:1,5 <b>response</b> 4:24 5:5 <b>responses</b> 6:16 <b>responsibilities</b> 9:21 11:9,23,24 <b>responsible</b> 13:10 <b>results</b> 24:5,10 <b>retained</b> 54:3 <b>retired</b> 19:23 <b>returned</b> 11:2 58:19 <b>returning</b> 10:15 <b>review</b> 8:8 18:20 31:18 50:18 58:13 59:1 60:1 <b>reviewed</b> 19:10 34:4 <b>right</b> 18:4 40:15 48:9,17 55:5 <b>rights</b> 5:12 55:16 <b>role</b> 10:10 11:7 11:22,24 13:16 18:23 19:9 21:2 28:13 34:18,20 38:14,16 <b>roles</b> 12:20 <b>roubitchek</b> 3:3 5:14,18 6:1	15:12 18:7 20:10,16 21:12 21:20 22:10,20 22:24 23:11 24:2,22 25:17 27:16 28:15,20 28:24 29:10 30:9 31:10 33:9 33:16 36:4,16 37:1 38:2 39:2,4 39:20 40:10 41:10,22 42:19 43:2,14 44:19 46:24 49:3 51:12 52:24 53:3,14 55:17 58:9 59:4,9 60:4 60:13 61:20 <b>rrr</b> 29:17 <b>rule</b> 23:21 35:11 <b>rules</b> 6:13 7:9 16:14 23:13 59:5 60:5 <b>runs</b> 10:6	<b>scroll</b> 18:13 33:10 49:9 51:18 <b>seal</b> 59:15 60:21 <b>second</b> 24:3 34:23 40:22 <b>section</b> 10:18 <b>see</b> 6:6 8:15 24:6 25:20 28:24 30:8,12 41:22 42:5 49:15 <b>seek</b> 16:3 <b>seeking</b> 16:6 27:17 28:8 38:23 <b>seen</b> 8:13,16 25:17 37:10 49:3,7 <b>sentence</b> 22:1 24:3,6 33:20 34:24 35:3 36:16 41:22 <b>separate</b> 46:3 <b>september</b> 1:14 5:11 55:8,18 57:4 58:4 <b>serve</b> 13:4 <b>set</b> 57:2 <b>setting</b> 49:22 52:3 <b>sheet</b> 58:14 60:7 60:10,18 61:1 <b>short</b> 12:10 14:1 17:17 <b>shorthand</b> 56:3 56:5 <b>show</b> 39:23
		<b>s</b>	
		<b>s</b> 3:5 58:16 60:8 60:8 61:3 <b>samples</b> 23:1,11 42:4,21 44:3 <b>sampling</b> 12:14 22:4,11 47:5 <b>sanjay</b> 19:20 <b>scheduled</b> 55:17 <b>schiff</b> 2:2 4:9 <b>science</b> 8:23 <b>screen</b> 21:21 40:20 51:23	

<p><b>shown</b> 58:16  <b>signature</b> 57:6  58:15  <b>signed</b> 17:19  18:18 59:13  60:18  <b>signing</b> 58:20  <b>similar</b> 11:11  13:9 32:6 51:14  <b>simple</b> 39:5  <b>simply</b> 28:15  39:1  <b>sincerely</b> 58:21  <b>single</b> 16:21  19:18  <b>sir</b> 58:10  <b>site</b> 10:8  <b>size</b> 23:3  <b>slide</b> 51:22  <b>slides</b> 49:10  51:18 52:2  <b>small</b> 9:11  <b>sofat</b> 19:21  <b>solely</b> 54:1  <b>solutions</b> 58:1  61:1  <b>sorry</b> 21:15  29:23 40:21  47:19 48:14,22  <b>sought</b> 20:22  25:8 34:17  <b>sounds</b> 55:11  <b>sources</b> 12:14  <b>south</b> 2:3  <b>speak</b> 7:22 31:2  <b>speaks</b> 6:19  <b>special</b> 17:8,15  28:16 31:17</p>	<p>32:11  <b>specific</b> 19:24  31:3  <b>specifically</b>  40:15  <b>specified</b> 56:19  <b>speculation</b>  47:10  <b>spell</b> 5:17  <b>spoke</b> 7:21  <b>spoken</b> 46:24  <b>staff</b> 9:23 13:9  15:5 30:24  <b>staffing</b> 12:3  <b>stand</b> 15:10  25:15 47:16  51:5  <b>standing</b> 27:8,10  31:6  <b>stands</b> 28:18  54:15  <b>start</b> 7:18  <b>started</b> 9:7,13  <b>starting</b> 27:17  <b>starts</b> 24:4  <b>state</b> 5:16 37:5  38:7 56:6 59:10  60:15  <b>stated</b> 36:8  <b>statement</b> 16:11  16:18,20 29:3  30:13 59:13,14  60:19,19  <b>stating</b> 4:5  <b>stayed</b> 11:6  <b>stenographically</b>  56:13</p>	<p><b>steve</b> 8:2  <b>stipulate</b> 4:3,10  <b>street</b> 2:12  <b>strike</b> 35:20  <b>sub</b> 29:1,11,17  30:2,9,22  <b>submitted</b> 26:2  <b>subscribed</b>  59:10 60:14  61:21  <b>subsection</b> 42:3  42:5,15 43:7  <b>suite</b> 2:4 58:2  <b>super</b> 10:8  <b>superior</b> 58:1  <b>supplement</b> 5:4  <b>supplemental</b>  31:16  <b>supplemented</b>  48:10  <b>supply</b> 12:7  13:22 37:11,11  <b>supreme</b> 16:13  <b>sure</b> 6:14 21:8  40:5,23 55:11  <b>swear</b> 4:3  <b>swearing</b> 4:10  <b>switching</b> 18:14  <b>sworn</b> 4:16 6:3  56:10 59:10,13  60:14,18 61:21  <b>syvester</b> 8:2  <b>system</b> 13:22  14:1,4 15:3 23:2  24:16 37:12  41:4 44:12,21  <b>systems</b> 12:7  23:12</p>	<p><b>t</b>  <b>t</b> 3:5 5:19  <b>take</b> 4:2 7:3 11:3  21:12,21 33:16  34:23 36:4  39:20 40:3 49:8  49:9 55:9  <b>taken</b> 56:18  <b>talking</b> 27:24  29:23 40:12  <b>team</b> 12:1  <b>technical</b> 49:24  <b>techniques</b> 12:14  <b>teleconference</b>  1:12  <b>tell</b> 49:5  <b>ten</b> 55:21  <b>terms</b> 34:5  <b>testified</b> 6:3  <b>testify</b> 56:10  <b>testifying</b> 7:5  <b>testimony</b> 6:18  7:13 15:19 20:8  22:18 41:16  45:3 52:22  56:16 59:6,7  60:6,9,12  <b>thank</b> 5:12,13,20  8:12 14:18 17:2  21:18 27:12  28:3 33:5,14  34:22 37:8 40:6  48:14 49:1,14  51:20 53:8  54:23 55:18  <b>thanks</b> 55:12  <b>think</b> 40:4,19  47:23</p>
---	---	---	---

[thirty - worked]

Page 14

<b>thirty</b> 58:19 <b>three</b> 4:23 30:9 30:22 <b>till</b> 11:7 <b>time</b> 6:19 9:11 11:5 13:18,18 15:4 16:21,21 32:7 42:22 55:4 55:15 56:19 <b>times</b> 26:23 <b>title</b> 49:5 <b>today</b> 7:6,13 14:14 16:24 <b>today's</b> 48:20 51:10 <b>tomorrow</b> 48:11 <b>transcribed</b> 59:7 <b>transcript</b> 1:12 56:12 58:12,13 59:5,12 60:5,11 60:17 <b>transition</b> 10:10 <b>treatment</b> 12:13 18:14 <b>trudy</b> 2:23 54:20 56:5 57:7 <b>true</b> 56:15 <b>truth</b> 56:10 <b>truthful</b> 7:12 <b>two</b> 4:21 26:1 28:4 <b>type</b> 10:1 12:3 24:8 <b>types</b> 10:3 11:15 12:6,9 <b>typewriting</b> 56:14	<b>u</b>	<b>violation</b> 12:13 <b>vs</b> 1:5	24:13 26:14 27:22 28:4,11 29:7 30:5,17 32:17,23 33:18 33:24 35:7 36:7 37:4 39:6,24 40:22,24,24 41:7 42:11 43:11 44:7 45:15 46:6 46:14,21 47:11 47:17 50:10 52:15 53:18 54:9,15,18,23 55:1,5 56:9,9 57:2 58:9,12 59:1,4,11 60:1,4 60:15	
	<b>u</b> 5:19 <b>u.s.</b> 45:24 46:11 <b>understand</b> 6:23 7:5,8 <b>understanding</b> 15:13 22:3,11 23:9,20 26:9 28:7,16 33:19 35:2 37:18 41:3 42:20 43:1 48:9 50:6 52:10 53:24 54:2 <b>understood</b> 7:1 16:23 <b>unit</b> 11:6 <b>university</b> 9:1 13:22 14:9 <b>unsafe</b> 12:14 <b>upper</b> 13:5 22:12 <b>usepa</b> 9:24 11:14 46:5 50:2 52:6 53:12 54:12	<b>w</b>	<b>wacker</b> 2:3 <b>waiting</b> 9:10 <b>waived</b> 48:7 58:20 <b>waiver</b> 4:18 <b>want</b> 14:19 16:10,17,22 17:22 <b>wanted</b> 48:17 <b>washington</b> 2:12 <b>waste</b> 11:14 12:18 16:20 <b>water</b> 1:5 6:12 11:6,10,12,14,15 11:16,19 12:2,7 12:18,19 13:14 13:22 18:12 23:2,12 30:24 31:1 33:4 37:11 37:11 <b>we've</b> 40:4 <b>week</b> 16:2 <b>west</b> 2:12 <b>whereof</b> 57:2 <b>wide</b> 10:21 12:11 <b>willing</b> 49:12 <b>wisconsin</b> 10:14 <b>witness</b> 3:2 4:4 4:11,15,17 5:15 5:18 6:2 14:16 15:16,24 16:8 17:2 19:3 20:5 20:18 21:24 22:7,15 23:6	24:13 26:14 27:22 28:4,11 29:7 30:5,17 32:17,23 33:18 33:24 35:7 36:7 37:4 39:6,24 40:22,24,24 41:7 42:11 43:11 44:7 45:15 46:6 46:14,21 47:11 47:17 50:10 52:15 53:18 54:9,15,18,23 55:1,5 56:9,9 57:2 58:9,12 59:1,4,11 60:1,4 60:15 <b>witness'</b> 58:15 <b>wonderful</b> 39:18 <b>word</b> 43:6 <b>work</b> 9:8 10:24 13:15 15:2,15,21 16:15 19:2 21:1 22:6,19 23:5,15 24:12 26:13 28:10 29:6 30:4 30:16 32:16 33:23 34:10 35:6 36:12,24 38:21 39:15 41:6,17 42:10 43:9 44:6,23 45:14 47:9 50:9 52:14,23 53:17 54:8 <b>worked</b> 19:8 39:7
	<b>v</b> 58:6 59:3 60:3 <b>valuable</b> 44:15 <b>variety</b> 10:8,21 12:12 <b>veritext</b> 58:1,8 61:1 <b>veritext.com.</b> 58:17 <b>version</b> 14:21 <b>videoconference</b> 4:4			

[working - zoom]

Page 15

<b>working</b> 9:18 13:18 <b>writing</b> 41:24 42:8 <b>written</b> 42:22 <b>wrong</b> 21:16
<b>x</b>
<b>x</b> 3:1,5
<b>y</b>
<b>yeah</b> 48:12,18 <b>yesterday</b> 8:5
<b>z</b>
<b>zinc</b> 18:14 <b>zoom</b> 1:12