

ILLINOIS POLLUTION CONTROL BOARD
November 10, 2004

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 04-82
)	(IEPA No. 270-04-AC)
JOHN BROWN d/b/a JOHN BROWN)	(Administrative Citation)
PAINTING,)	
)	
Respondent.)	

HEARING REPORT

On November 9, 2004, a hearing in this matter was held at the City Hall Council Chambers in Metropolis, Illinois. Attorney Michelle Ryan appeared on behalf of the complainant, and filed her appearance at the hearing. Respondent appeared *pro se*.

Witness Credibility

3 witnesses testified during the hearing:

Mr. Kent Johnson
Mr. John Brown
Mrs. Kim Brown

Based upon my legal judgment, experience, and observations at hearing, I find that the credibility of witness is not an issue in this matter.

Exhibits

Exhibit 1, admitted into evidence at hearing, is complainant's open dump inspection checklist dated April 7, 2004. Respondent offered recent photographs of the site as Exhibit 2 to demonstrate that the site had been cleaned. Complainant objected on grounds of relevance, and the photographs were accepted only as an offer of proof.

Briefing Schedule

The transcript is due November 22, 2004. Complainant will file its brief by December 13, 2004. Respondent's brief is due by January 10, 2005. Complainant's reply, if any, is due January 24, 2005.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
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