

ILLINOIS POLLUTION CONTROL BOARD
March 21, 2005

PAUL JOHNSON INC.,)
)
 Petitioner,)
)
 v.) PCB 05-109
) (Water Well Setback Exception)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY and CITY OF)
 WATERMAN, ILLINOIS,)
)
 Respondents.)

HEARING REPORT

On March 8, 2005, a hearing in this matter was held at the City Hall Annex, 128 E. Railroad, Sandwich, Illinois. Attorney Richard Saines appeared and participated on behalf of the petitioner. Attorney Charles Gunnarson appeared and participated on behalf of respondent Illinois Environmental Protection Agency. Attorney Kevin Buick appeared and participated on behalf of respondent City of Waterman, Illinois.

Witness Credibility

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

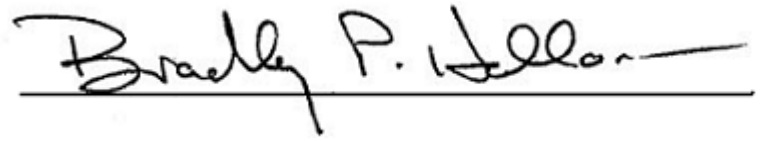
Exhibits

An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order.

Briefing Schedule

A briefing schedule was discussed and agreed to at the hearing. The parties' simultaneous opening post-hearing briefs must be served and filed on or before March 25, 2005. The parties' simultaneous replies, if any, must be served and filed on or before March 31, 2005. Public comment is due to be filed on or before March 21, 2005.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

PCB 05-109
March 8, 2005 Hearing

Exhibit List

| Exhibit | Description | Status |
|------------------------------|---|----------|
| Petitioner's Group Exhibit 1 | Includes attachments A through C regarding groundwater monitoring | Admitted |
| Petitioner's Exhibit 2 | Letter dated March 4, 2005, from Steven Swenson to Lynn Dunaway regarding expanded well log search | Admitted |
| Petitioner's Exhibit 3 | Grid of proposed injection points for Phases I and II | Admitted |
| Petitioner's Exhibit 4 | Material Safety Data Sheet dated February 10, 2005 | Admitted |
| Petitioner's Exhibit 5 | Letter dated March 4, 2005, from Steven Swenson to Lynn Dunaway regarding expanded well log search with "X" marked on map to signify location of new well | Admitted |