

## ILLINOIS POLLUTION CONTROL BOARD

April 6, 2006

WESLEY BRAZAS, JR.,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
MR. JEFF MAGNUSSEN, president,	)	
VILLAGE OF HAMPSHIRE, and the	)	PCB 06-131
ILLINOIS ENVIRONMENTAL	)	(Third-Party NPDES Permit
PROTECTION AGENCY,	)	Appeal - Water)
	)	
Respondents.	)	
	)	
	)	

**HEARING OFFICER ORDER**

On April 4, 2006, all parties participated in a telephonic status conference with the hearing officer. Hearing dates were discussed and agreed to. A hearing will be held on May 15 and 16, 2006, as reflected in the April 6, 2006, hearing notice. The Village of Hampshire represented that it will file a waiver of the statutory decision deadline to and including July 6, 2006.

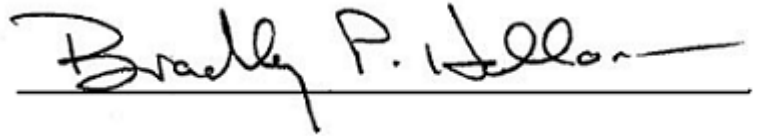
The discovery schedule is as follows. All parties must propound interrogatories and request for production of documents on or before April 14, 2006. All parties must respond to any such discovery requests on or before May 1, 2006. All discovery must be closed on May 4, 2006. Any motions in limine must be filed on or before May 8, 2006. Any other pre-hearing motions must be filed on or before April 14, 2006. Response from opposing party must be filed on or before April 28, 2006. Reply, if any, must be filed on or before May 4, 2006. Due to the expedited nature of this proceeding, the mailbox rule will not apply.

The parties are reminded that in third-party permit appeals, such as the one here, section 40(e)(3) of the Act requires the Board to "hear the petition...exclusively on the basis of the record before the Agency." Des Plaines River Watershed Alliance, Livable Communities Alliance, Prairie Rivers Network, and Sierra Club v. Illinois Environmental Protection Agency and Village of New Lenox, PCB 04-88, slip op. at 38 (November 17, 2005).

The parties or their legal representatives are directed to participate in a telephonic pre-hearing conference with the hearing officer on May 10, 2006, at 10:00 a.m. The telephonic pre-hearing conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be

prepared to discuss the status of the above-captioned matter and their readiness for hearing.

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.

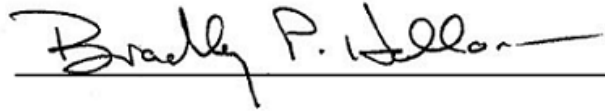
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on April 10, 2006, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on April 10, 2006:

Dorothy M. Gunn  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph St., Ste. 11-500  
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran" with a horizontal line underneath it.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
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