

ILLINOIS POLLUTION CONTROL BOARD  
May 18, 2006

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

**HEARING REPORT**

On May 15, 2006, a hearing in this matter was held at the Kane County Courthouse, Room 250, 100 South Third Street, Geneva, Illinois. Attorney Mark Schuster appeared and participated on behalf of the respondent Jeff Magnussen, president, Village of Hampshire. Attorney James Day appeared and participated on behalf of respondent Illinois Environmental Protection Agency. Petitioner Wesley Brazas, Jr., a non-attorney, appeared and represented himself pro se.

**Witness Credibility**

Brazas was the only witness to testify at the hearing and based upon my legal judgment, experience, and observations at the hearing, I find that the credibility of the witness is not an issue in this matter.

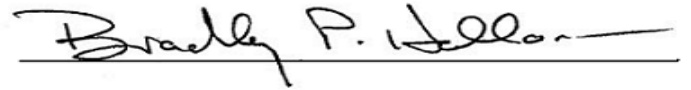
**Exhibits**

The parties offered no exhibits at the hearing.

**Briefing Schedule**

A briefing schedule was discussed and agreed to at the hearing. Simultaneous post-hearing briefs are due to be filed on or before June 6, 2006, the date upon which the record closes in this matter. The mailbox rule will not apply. Public comment is due to be filed on or before May 26, 2006.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a solid horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite

11-500

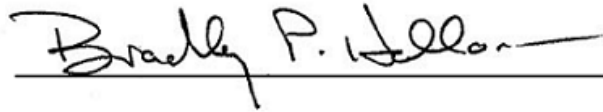
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 18, 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 May 18, 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  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-8917

PCB 2006-131  
IEPA  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

PCB 2006-131  
James Allen Day  
IEPA  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

PCB 2006-131  
Jeff Magnussen  
Village of Hampshire  
234 South State Street  
P.O. Box 457  
Hampshire, IL 60140-0457

PCB 2006-131  
Mark Schuster  
Schnell, Bazos, Freeman, Kramer, Schuster & Vanek  
1250 Lakin Avenue #100  
Elgin, IL 60123

PCB 2006-131  
Wesley Brazas, Jr.  
44W331 Big Timber Road  
Hampshire, IL 60140