

ILLINOIS POLLUTION CONTROL BOARD
January 9, 2007

PEORIA DISPOSAL COMPANY,)	
)	
Petitioner,)	PCB 06-184
)	(Pollution Control Facility Siting
v.)	Appeal)
)	
PEORIA COUNTY BOARD,)	
)	
Respondent.)	

HEARING REPORT

On January 8, 2007, a hearing in this matter was held at the Itoo Society in Peoria, Illinois. Attorneys Brian Meginness and George Mueller appeared on behalf of the petitioner. Attorney David Brown appeared on behalf of the respondent.

Witness Credibility

Two witnesses testified during the hearing:

Mr. Patrick Urich
Mr. Russell Hauperp

The following persons gave public comment at hearing:

Ms. Jennifer Voegli	Ms. Joyce Blumenshine
Mr. Tom Edwards	Ms. Kim Converse
Mr. Gary Swicky	Ms. Suzanne Gerard
Ms. Judy Stalling	Ms. F. Christine Ozuna-Thornton
Ms. Mavis Young	Ms. Diane Storey
Ms. Carolyn Purcell	Ms. Jean Clarke
Ms. Cathy Stevenson	

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

Instead of calling 29 witnesses to testify at hearing, the parties stipulated to the admission of witnesses' deposition transcripts and associated deposition exhibits. The parties also stipulated to videotapes of applicable County Board meetings, and a transcript of the relevant portions of those meetings. Petitioner objected as to the relevance of respondent's graph of web site usage, which the hearing officer admitted as background information.

Briefing Schedule

At hearing, petitioner agreed to file a deadline waiver to May 17, 2007. The transcript is due by January 11, 2007. Petitioner will file its brief by February 16, 2007, and respondent's brief is due by March 23, 2007. Petitioner's reply is due by April 6, 2007. The mailbox rule will not apply to petitioner's reply, but will apply to the public comment deadline, also set for April 6, 2007.

IT IS SO ORDERED.



Carol Webb
 Hearing Officer
 Illinois Pollution Control Board
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Exhibit List

Exhibit	Description	Status
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Depositions 1 through 12	Depositions of County Board Members	Admitted
Depositions 13 through 16	Depositions of County Staff	Admitted
Depositions 17 through 29	Depositions of Opponents	Admitted
Deposition Exhibits: Volume I	Deposition Exhibits 1 through 9	Admitted
Deposition Exhibits: Volume II	Deposition Exhibits 10 through 40	Admitted
Deposition Exhibits: Volume III	Deposition Exhibits 41 through 96	Admitted
Exhibit #97	Video of County Board Meeting- 11/05	Admitted
Exhibit #98	Video of County Board Meeting – 12/05	Admitted
Exhibit #99	Video of County Board Meeting- 1/06	Admitted
Exhibit #100	Video of County Board Meeting – 2/06	Admitted
Exhibit #101	Video of County Board Meeting – 3/06	Admitted
Exhibit #102	Video of County Board Meeting – 4/06	Admitted
Exhibit #103	Video of County Board Meeting – 5/06	Admitted
Exhibit #104	Transcript of Relevant Portions of Board Meeting Tapes	Admitted
Exhibit #105	Stipulation of Photos in Exhibit 17	Admitted
Respondent's Exhibit #106	Peoria County's graph of web site usage	Admitted

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on January 9, 2007, 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 January 9, 2007:

Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
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Chicago, Illinois 60601



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