

ILLINOIS POLLUTION CONTROL BOARD
June 13, 2007

CITY OF CHICAGO DEPARTMENT OF ENVIRONMENT,)	
)	
Complainant,)	
)	AC 06-41
v.)	(CDOE No. 06-01-AC)
)	(Administrative Citation)
1601-1759 EAST 130 th SREET, L.L.C.,)	
)	
Respondent.)	

HEARING REPORT

On May 17, 2007, a hearing in the above-captioned matter was held at the James R. Thompson Center, 100 West Randolph Street, Room 11-512, Chicago, Illinois. Attorneys Jennifer A. Burke and Graham G. McCahan appeared and participated on behalf of the complainant. Attorney Jeffrey J. Levine appeared and participated on behalf of the respondent.

Preliminary Matters

The above-captioned matter, AC 06-41, is related to AC 06-39, AC 06-40 and AC 07-25. The parties agreed and stipulated to that the testimony of complainant's witnesses, Raphael Maciel and Chris Antonopoulos, generated at the hearing in AC 06-40, is to be incorporated in AC 06-41.

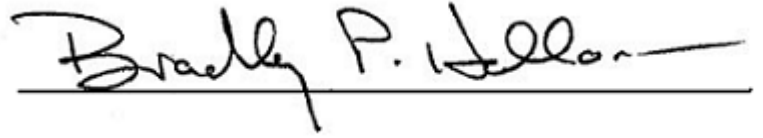
Exhibits

Five exhibits were offered as evidence at the hearing. An exhibit list itemizing the offered exhibits and summarizing the status is attached to this order.

Briefing Schedule

The briefing schedule is as follows. The complainant's post-hearing brief is due to be filed on or before June 22, 2007. The respondent's post-hearing brief in response is due to be filed on or before July 10, 2007. Complainant's reply brief, if any, is due to be filed on or before July 22, 2007. Public comment is due to be filed on or before June 15, 2007.

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

AC 06-41
May 17, 2007 Hearing

Exhibit List

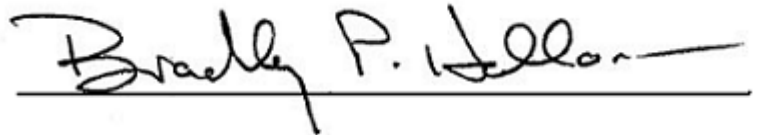
Exhibit	Description	Status
Complainant's Group Exhibit A	Administrative Record	Admitted- over objection
Complainant's Exhibit B	Certified copy of trustee's deed	Admitted – over objection
Complainant's Exhibit C	Inspection Report	Admitted- over objection
Respondent's Exhibit A	Waste Manifest	Admitted- over objection
Respondent's Exhibit B	City of Chicago Photographs – March 23, 2006, pages 44-53	Admitted

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on June 12, 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 June 12, 2007:

John T. Therriault
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". 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
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AC 2006-041
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