

ILLINOIS POLLUTION CONTROL BOARD
May 10, 2006

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 05-70
)	(Administrative Citation)
JAMES STUTSMAN,)	
)	
Respondent.)	

HEARING REPORT

On May 10, 2006, a hearing in this matter was held at the Mason County Courthouse in Havana, Illinois. Attorney Michelle Ryan appeared on behalf of the complainant. Ms. Ryan filed her appearance at hearing. Respondent appeared *pro se*.

Witness Credibility

2 witnesses testified during the hearing:

Ms. Michelle Cozadd
Mr. James Stutsman

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

The four exhibits offered by complainant were admitted at hearing. Exhibit 1 is the inspection report from April 1, 2005; Exhibit 2 is the administrative citation warning notice; Exhibit 3 is correspondence from respondent to complainant dated January 11, 2001; Exhibit 4 is a letter from complainant to respondent dated October 5, 2005.

Briefing Schedule

Complainant will file its brief by June 7, 2006. Respondent's brief is due by June 28, 2006. The mailbox rule will apply.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217/524-8509
webbc@ipcb.state.il.us

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 11, 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 11, 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 "Carol Webb". The signature is written in a cursive, flowing style.

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
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AC 2005-070
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AC 2005-070
James Stutsman
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