

ILLINOIS POLLUTION CONTROL BOARD  
December 11, 2006

WEBB & SONS, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 07-24
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**HEARING REPORT**

On December 11, 2006, a hearing in this matter was held at the Illinois Pollution Control Board in Springfield, Illinois. Attorney Jeffrey Tock appeared on behalf of the petitioner. Attorney Greg Richardson appeared on behalf of the respondent. The hearing was postponed for one hour to allow time for the parties to discuss the case.

**Witness Credibility**

Two witnesses testified during the hearing:

Mr. Kevin Saylor  
Mr. James Malcom

Based upon my legal judgment, experience, and observations at hearing, I find that the credibility of witness is not an issue in this matter.

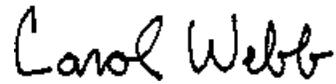
**Exhibits**

Petitioner's exhibits 1, 3, and 4 consist of pages pulled from the administrative record, and were admitted. Petitioner's exhibits 2 and 5 relate to a recent appeal of the same site. Respondent did not object to the admissibility, but objected on the grounds of relevance. The exhibits were admitted. Petitioner's exhibits 6, 7, and 8 consist of respondent's testimony In The Matter of Proposed Amendments to Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732) R04-22. These exhibits were not used at hearing, although petitioner may use them for argument in its post-hearing brief. Respondent did not object to the admissibility, but objected as to relevance. The documents were admitted as public records of which the Board could take notice.

**Briefing Schedule**

The transcript is due by December 14, 2006. Petitioner will file its brief by December 29, 2006, and respondent's brief is due by January 12, 2007. The mailbox rule will not apply.

IT IS SO ORDERED.



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Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 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 December 11, 2006:

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



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PCB 2007-024  
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