

ILLINOIS POLLUTION CONTROL BOARD
August 24, 2007

L. KELLER OIL PROPERTIES,)	
INC./FARINA,)	
)	
Petitioner,)	
)	PCB 07-147
v.)	(UST Appeal)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

HEARING REPORT

On August 22, 2007, a hearing in this matter was held at the Illinois Pollution Control Board Office in Springfield, Illinois. Attorneys Carolyn Hesse and Jonathan Froemel appeared on behalf of the petitioner. Attorney Melanie Jarvis appeared on behalf of the respondent.

Witness Credibility

4 witnesses testified during the hearing:

- Mr. Ronald St. John
- Ms. Carol Rowe
- Mr. Jeff Wienhoff
- Mr. Vince Smith

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

An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order.

Briefing Schedule

The transcript is due by August 27, 2007. Petitioner will file its brief by September 18, 2007. Respondent’s brief is due by October 9, 2007. The mailbox rule will not apply, although parties may file electronically.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
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PCB 07-147**August 22, 2007 Hearing****Exhibit List**

Exhibit	Description	Status
Exhibit #1	Joint exhibit to supplement the record	Admitted
Exhibit #2	August 21, 2007 letter from Carolyn Hesse representing a stipulation agreed by both parties.	Admitted
Exhibit #3	Resume of Ronald St. John	Admitted
Exhibit #4	Glossary of Hydrology	Admitted
Exhibit #5	API plume migration bulletin	Not Admitted
Exhibit #6	Two over-sized sheets of diagrams to assist in following the testimony of Mr. St. John	Admitted
Exhibit #7	Resume of Carol Rowe	Admitted
Exhibit #8	Record of Hall's Automotive	Not Admitted
Exhibit #9	Record of Keller Oil/Edgewood	Not Admitted
Exhibit #10	Resume of Jeff Wienhoff	Admitted
Exhibit #11	Diagram of site	Admitted
Exhibit #12	Over-sized diagram to assist in following testimony of Jeff Wienhoff	Admitted
Exhibit #13	Resume of Vince Smith	Admitted

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 24, 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 August 24, 2007:

John T. Therriault
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PCB 2007-147
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