

ILLINOIS POLLUTION CONTROL BOARD  
January 23, 2008

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 06-50
	)	(IEPA No. 98-06-AC)
MARK GATES,	)	(Administrative Citation)
	)	
Respondent.	)	
	)	

**HEARING REPORT**

On January 23, 2008, a hearing in this matter was held at the Logan County Courthouse. Attorney Michelle Ryan appeared on behalf of the complainant. Respondent appeared *pro se*. Respondent arrived after complainant’s witness had already testified. However, respondent was allowed to question complainant’s witness regarding the photographs, and make a statement on his own behalf.

**Witness Credibility**

2 witnesses testified during the hearing:

Ms. Michelle Cozadd  
Mr. Mark Gates

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**

Complainant’s Exhibit 1 is the open dump inspection checklist dated April 26, 2006. The exhibit was admitted into the record.

**Briefing Schedule**

The transcript is due by February 4, 2008. Complainant will file its brief by February 19, 2008. Respondent’s brief is due by March 4, 2008. Complainant’s reply, if any, is due by March 11, 2008. The mailbox rule will apply.

IT IS SO ORDERED.

Carol Webb

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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 January 23, 2008, 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 23, 2008:

John T. Therriault  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph St., Ste. 11-500  
Chicago, Illinois 60601



Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
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AC 2006-050  
Michelle M. Ryan  
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AC 2006-050  
Marla Lewis Gates  
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AC 2006-050  
Mark Kingsley Lewis  
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