

From: "Matt Varble" <mattvarble@hotmail.com>
To: THERRIAJ@ipcb.state.il.us
Date: 9/4/2008 6:42:19 AM
Subject: RE: Second Hearing Request

PC 26

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Please docket:

IEPA attorney William Ingersoll states in his filing for case 2008 AS 10 that "At no point on August 18 did anyone indicate to Illinois EPA that Ms. Ryan's activities prevented them from participating fully in the process, nor did anyone request (either during the hearing or a break) that her activities cease."

This is a false statement since Maggie Carson the IEPA press officer is quoted in the 8/31/08 edition of the Peoria Journal Star stating that: "I was told by our lead attorney that the hearing officer brought it to her attention and she stopped (knitting). From our perspective, the situation ended there." Here is the link to the article with the quote:
<http://www.pjstar.com/news/x1886920382/Word-on-the-Street-Is-Schock-slacking-on-debates?view=print>

Thus, I assert that the IEPA has not only condoned and reduced to writing the opinion that their employee knitting during an IPCB hearing is an acceptable form of conduct, but also has made completely false statements in their filing in an effort to misrepresent the facts to the IPCB about what actually happened at the IPCB hearing in Peoria on 8/18/08.

Additionally at no time was it disclosed, made evident, or clear that any members of the public had any ability to object or interrupt during the public hearing. In fact it was specifically stated by the hearing officer Ms. Webb prior to commencing the actual delisting hearing that individuals were to not interrupt or disrupt the proceedings taking place and any person wishing to speak was required to sign the roster at the front of the room. Thus, due to the lack of instructions and lack of information presented about the right of the public to object during the hearing itself the only recourse available was to immediately respond in writing during the comment period following the 8/18/08 IPCB delisting hearing.

I respectfully disagree with Mr. Ingersoll's desperate and fabricated arguments in defense of his employee's outrageous conduct and still assert that the IEPA was not following proper procedures, not listening, and not paying attention during the public comment portions of the 8/18/08 IPCB hearing. Due to these above stated reasons (in addition to other submitted reasons) a second hearing is necessary to ensure the integrity of public input.

Thank You,

Matt Varble
President
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