

ILLINOIS POLLUTION CONTROL BOARD
May 15, 2013

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MAY 15 2013

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
) PCB 04-16
v.) (Enforcement – Air)
)
PACKAGING PERSONIFIED, INC., an)
Illinois corporation,)
)
Respondent.)



ORIGINAL

HEARING OFFICER ORDER

On May 15, 2013, all parties participated in a telephonic status conference with the hearing officer. Discussions were entertained regarding respondent's response to complainant's motion *in limine*, respondent's cross motion *in limine* and respondent's motion to mark tax documents as trade secret or non-disclosable information.

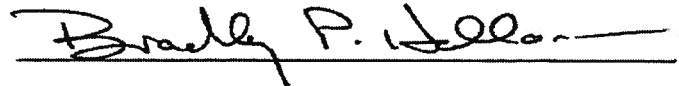
Regarding respondent's motion *in limine*,, requesting admittance of approximately 125 instances where Mr. Trzupsek expressed his views on environmental regulations, either in writing or orally, respondent stated that it will narrow the list to approximately 2-4 articles. Respondent stated that it will forward those selected articles to complainant no later than May 16, 2013. Complainant's motion *in limine* and respondent's cross motion *in limine* will be ruled on or before May 21, 2013.

Respondent's motion to mark tax documents as trade secret or non-disclosable information was likewise discussed. The parties were informed that at the hearing, a separate transcript will be sought when the questioning and testimony address the tax information. The hearing room will be closed during that time with proper signage posted outside the hearing room to inform any member of the public that they will be allowed to enter the hearing room when the tax issue has concluded. The parties were informed that the ruling is subject to the Board's ultimate decision. Finally, the respondent was directed to file an affidavit pursuant to Section 130.404 (e) (4).

The parties stated that they will discuss respondent's six exhibits served and filed with the Board on May 13, 2013. These discussions are to take place on or before May 16, 2013. If needed, any objections will be ruled upon at the hearing.

The parties or their legal representatives are directed to appear at a telephonic pre-hearing conference on May 20, 2013, at 11:00 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a solid horizontal line.


Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 15, 2013, 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 15, 2013:

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

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran
Hearing Officer
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