

ILLINOIS POLLUTION CONTROL BOARD
April 8, 2004

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 04-27
) (Administrative Citation)
DOUGLAS S. CARRICO d/b/a CARRICOS)
AUTO HEAP,)
)
Respondent.)

HEARING REPORT

On April 7, 2004, a hearing in this matter was held at City Hall in Carrollton, Greene County. Attorney Michelle Ryan appeared on behalf of the complainant. Ms. Ryan filed her appearance at hearing. Respondent Douglas Carrico appeared *pro se*.

Witness Credibility

2 witnesses testified during the hearing:

Ms. Jan Mier
Mr. Douglas Carrico

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

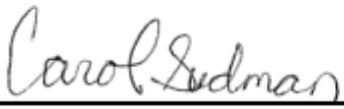
The complainant offered six exhibits as evidence at hearing. An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order. Respondent did not object to any of the exhibits.

Respondent did not formally move to enter any exhibits at hearing; however, he brought recent photographs of the site, and a summary of certain provisions of the Environmental Protection Act and regulations. These documents were not admitted at hearing.

Briefing Schedule

The complete transcript is due April 19, 2004, and the public comment deadline is May 3, 2004. Complainant's brief is due May 3, 2004. Respondent's brief is due June 1, 2004. Complainant's reply, if any, is due June 15, 2004. The mailbox rule will apply.

IT IS SO ORDERED.



Carol Sudman
Hearing Officer
Illinois Pollution Control Board
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AC 04-27
April 7, 2004 Hearing

Exhibit List

Exhibit	Description	Status
Complainant's Exhibit #1	Tire disposal site inspection checklist dated October 28, 2003	Admitted
Complainant's Exhibit #2	Non-compliance letter to respondent dated July 24, 2002	Admitted
Complainant's Exhibit #3	Violation notice dated January 14, 2003	Admitted
Complainant's Exhibit #4	Violation Notice dated March 18, 2003	Admitted
Complainant's Exhibit #5	Letter from IEPA to respondent dated June 12, 2003	Admitted
Complainant's Exhibit #6	Letter from IEPA to respondent dated July 9, 2003	Admitted

