

ILLINOIS POLLUTION CONTROL BOARD

October 7, 2004

BONITA SAXBURY and RICHARD )  
SAXBURY, )  
 )  
Complainants, ) PCB 04-79  
 ) (Citizens Enforcement – Noise)  
v. )  
 )  
ARCHER DANIELS MIDLAND, HULL, )  
ILLINOIS DIVISION, )  
 )  
Respondent. )

**HEARING REPORT**

On October 6, 2004, a hearing in this matter was held at the City Hall in Pittsfield, Pike County. Complainants appeared *pro se*. Attorney Lee Cunningham appeared on behalf of the respondent.

**Witness Credibility**

Four witnesses testified during the hearing:

Mr. Richard Saxbury  
Mr. W. Kent Thompson  
Mr. G.W. Dimmitt  
Ms. Bonita Saxbury

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 complainants offered a set of photographs of respondent's site as taken from complainants' property. Respondent did not object. The photographs were admitted into evidence at hearing as Exhibit 1.

**Briefing Schedule**

The transcript is due October 18, 2004. The public comment deadline is November 15, 2004. Complainants will file their brief by November 3, 2004, respondent will file its response brief by November 17, 2004. The mailbox rule will apply.

IT IS SO ORDERED.

Carol Sudman

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