

ILLINOIS POLLUTION CONTROL BOARD  
February 24, 2005

VILLAGE OF LAKE BARRINGTON, CUBA )  
TOWNSHIP, PRAIRIE RIVERS NETWORK, )  
SIERRA CLUB, BETH WENTZEL and )  
CYNTHIA SKRUKRUD, )

Petitioners, )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and VILLAGE OF )  
WAUCONDA, )

Respondents. )

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PCB 05-55  
(Third-Party NPDES Permit Appeal -  
Water)

SLOCUM DRAINAGE DISTRICT OF LAKE )  
COUNTY, ILLINOIS, )

Petitioner, )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY and VILLAGE OF )  
WAUCONDA, )

Respondents. )

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PCB 05-58  
(Third-Party NPDES Permit Appeal -  
Water)

AL PHILLIPS, VERN MEYER, GAYLE	)	
DEMARCO, GABRIELLE MEYER, LISA	)	
O'DELL, JOAN LESLIE, MICHAEL DAVEY,	)	
NANCY DOBNER, MIKE POLITIO,	)	
WILLIAMS PARK IMPROVEMENT	)	
ASSOCIATION, MAT SCHLUETER,	)	
MYLITH PARL LOT OWNERS	)	
ASSOCIATION, DONALD KREBS, DON	)	
BERKSHIRE, JUDY BRUMME, TWIN POND	)	
FARMS HOMEOWNERS ASSOCIATION,	)	
JULIA TUDOR and CHRISTINE DEVINEY,	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB 05-59
	)	(Third-Party NPDES Permit Appeal -
ILLINOIS ENVIRONMENTAL	)	Water)
PROTECTION AGENCY and VILLAGE OF	)	(Consolidated)
WAUCONDA,	)	
	)	
Respondents.	)	

**HEARING REPORT**

On February 10, 2005, a hearing in the above-captioned consolidated matter was held in the council chambers at the Libertyville Village Hall, 118 West Cook, Libertyville, Illinois. Attorney Jay Glenn appeared and participated on behalf of petitioners Al Phillips et al. Attorney Percy Angelo, appeared and participated on behalf of Village of Lake Barrington, Cuba Township, Prairie Rivers Network, Sierra Club, Beth Wentzel and Cynthia. Attorney Bonnie Macfarlane appeared and participated on behalf of Slocum Lake Drainage District of Lake County, Illinois. Attorney Sanjay Sofat appeared and participated on behalf of the Illinois Environmental Protection Agency (Agency). Attorney William Seith appeared and participated on behalf of the Village of Wauconda (Wauconda).

**Preliminary Matters**

At the hearing, Wauconda noted that a Preliminary Design Report, dated May 30, 2003, was referenced in the Agency's record but not included in the record. The Agency filed the Preliminary Design Report on February 15, 2005. The Report is to be made part of the Agency's record.

**Witness Credibility**

No witnesses testified at the hearing.

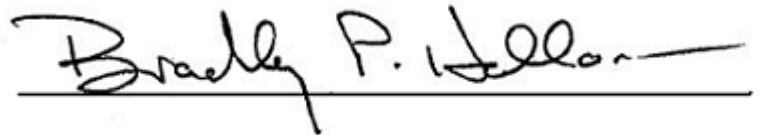
**Exhibits**

An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order.

**Briefing Schedule**

A briefing schedule was discussed and agreed to at the hearing. Simultaneous opening briefs are due to be filed on or before February 28, 2005. Simultaneous reply briefs, if any, are due to be filed on or before March 7, 2005. The mailbox rule will not apply. Public comment is due to be filed on or before March 2, 2005.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above 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

PCB 05-55; 05-58; 05-59  
February 10, 2005 Hearing

**Exhibit List**

Exhibit	Description	Status
Hearing Officer Exhibit 1	Additional Agency record documents submitted pursuant to hearing officer order dated February 3, 2005, with objections submitted therein.	Admitted