

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE POLLUTION CONTROL BOARD

STATE OF ILLINOIS

IN THE MATTER OF:

AMENDMENTS TO 35 ILL. ADM.
CODE SUBTITLE F, PART 601 through 620

PCB NO. R96-18

Hearing held, pursuant to Notice, on the 30th day
of October, 1996, at the hour of 10:10 a.m., at
Municipal Building West, Council Chambers,
Springfield, Illinois, before Mr. Michael McCambridge,
duly appointed Hearing Officer.

TRANSCRIPT OF PROCEEDINGS

1 HEARING OFFICER: Let's go on the record.
2 Let the record reflect that it's now 10:10. This is
3 the second day of public hearing in board docket
4 number R96-18, entitled In the Matter of Amendments to
5 35 Illinois Administrative Code, Subtitle F, Part 601
6 through 620.

7 In the beginning I am going to read a segment of a
8 Board order that circumscribes the scope of this
9 hearing. It's a Board order issued September 19th,
10 1996, in this matter, that reads in part as follows:

11 "The Agency's rule making petition requests a
12 number of amendments to the existing text of Part 601
13 through 620 of the Board's Public Water Supplies
14 regulations, including amendments to the Public Water
15 Supply Safe Drinking Water Act, Groundwater Protection
16 and Groundwater Quality Rules.

17 The requested amendments basically fall into three
18 categories. One, amendments to update and correct
19 several provisions throughout the text.

20 Two, amendments that would allow the Agency to
21 issue construction permits notwithstanding the fact
22 that a supply is listed on restricted status for a
23 violation of the radium MCL.

24 And three, revision of the authority note for the

1 groundwater quality regulations to reflect that it was
2 adopted pursuant to the Act.

3 The hearings will be strictly limited to the scope
4 of the subject matter before the Board. The Hearing
5 Officer will not allow testimony, exhibits and
6 questions into the record that are not relevant to the
7 Board's consideration of the Agency's rule making
8 petition.

9 Further, Section 17.6 of the Environmental
10 Protection Act prohibits the Board from visiting the
11 merits of any maximum contaminant level, MCL, for
12 radium, or from considering any MCL for this
13 contaminant other than that set by USEPA.

14 The Hearing Officer accordingly shall not allow
15 testimony as to the merits of the existing MCL, any
16 federally proposed MCL, or any other prospective
17 radium level.

18 My name is Mike McCambridge. I am a Board
19 attorney. I am the Hearing Officer in this
20 proceeding. The attending Board member seated to my
21 left is Dr. Ronald Flemal, a long standing member of
22 the Board.

23 As I said, this is the second day of public
24 hearings in this. The first day occurred last Friday

1 in Geneva, Illinois. I would like to make a statement
2 about that at this time.

3 At the hearing the Board took testimony of the
4 Agency and all persons present who desired to
5 speak. The Board admitted prefiled testimonies into
6 the record as if read for those persons who were in
7 attendance and sworn at the hearing.

8 One prefiled testimony submitted by the Children
9 of DeKalb under the signature of a Miss Dorian Berg
10 was admitted into the record as public comment. Ms.
11 Berg did not attend the hearing.

12 The hearing lasted until sometime after 11, if I
13 recall properly it would probably be around 11:15. At
14 that time Dr. Flemal, the attending Board member, and
15 the court reporter left.

16 I remained in the building for several minutes,
17 and on my way to the car at some time before quarter
18 to 12 I was approached by a woman who identified
19 herself as Dorian Berg. And she stated that she was
20 here and prepared to deliver her testimony, and she
21 stated to me that she had witnesses that were going to
22 be coming that afternoon, and she expressed her
23 understanding that the hearing was going to last all
24 day.

1 I expressed regret that the hearing had already
2 concluded for the day, having offered opportunity for
3 all persons present to speak.

4 At that point the Agency attorneys, Connie Tonsor
5 and Steve Ewart, approached Miss Berg and myself and
6 there was discussion of the hearings. I told Miss
7 Berg that there was another hearing being conducted in
8 Springfield here today. She stated that she would not
9 be attending.

10 With that I would like to offer Connie Tonsor an
11 opportunity to add anything for the record that she
12 might on the conversations that were had.

13 MS. TONSOR: My recollection is that the
14 Hearing Officer and I very carefully explained to Miss
15 Berg why the hearing could not at that time be
16 reconvened. We had -- at that time the Board members
17 had left, several of the witnesses had already left,
18 the court reporter had already left, and members of
19 the regulated community had left.

20 Both the Hearing Officer and I explained to Miss
21 Berg that this hearing would be held today, and that
22 she had an opportunity to come to this hearing and
23 present her testimony.

24 I believe that Mr. McCambridge also indicated to

1 her that -- or I indicated to her that her testimony
2 had been accepted tentatively as a comment in the
3 hearing that had concluded.

4 We discussed these matters with Miss Berg for
5 approximately an hour.

6 HEARING OFFICER: Thank you, Miss Tonsor.
7 Would you like to go on for the record or go with the
8 Agency?

9 MS. TONSOR: The Agency's witnesses presented
10 their prefiled testimony and a summary of their
11 testimony at the October 25th hearing. They are all
12 in attendance today to answer any questions that might
13 arise.

14 Briefly I'll introduce them again. Mr. Charles
15 Bell, who's the manager of our Field Operations
16 Section. Mr. Lynn Dunaway, who's our Groundwater
17 Technical Advisor. Tracy Virgin, who's our
18 toxicologist is here. Susan Konzelmann, who is our
19 paralegal who worked on comparing the old and the new
20 statute citation format. And Mr. Don Dillenburg, our
21 Permits Manager.

22 HEARING OFFICER: Does the Agency have
23 anything further to put in the record?

24 MS. TONSOR: The Agency has nothing further

1 at this time.

2 HEARING OFFICER: Is there any other person
3 present that wishes to add to the record? Yes, sir.

4 MR. DUFFIELD: I'm Dennis Duffield, I
5 prefiled testimony for today.

6 HEARING OFFICER: Yes, that's right. I do
7 recall. Could you swear the witness.

8 (The witness was sworn.)

9 MR. DUFFIELD: I believe you have copies of
10 my prefiled testimony.

11 HEARING OFFICER: Yes.

12 MR. DUFFIELD: And I would like to expand a
13 little bit on that if there's time.

14 HEARING OFFICER: Correct. Do you understand
15 what it means to introduce it into the record as if
16 read?

17 MR. DUFFIELD: Yes, sir.

18 HEARING OFFICER: Okay.

19 MR. DUFFIELD: My name is Dennis L. Duffield.
20 I am the Director of Public Works and Utilities for
21 the city of Joliet, Illinois. My business address is
22 921 East Washington Street, Joliet, Illinois 60433.
23 The City of Joliet is a public water supply that
24 serves a population of approximately 85,000.

1 Joliet is a community that has been impacted by
2 Standards of Issuance and Restricted Status
3 provisions. Joliet is nearing the end of their second
4 five year variance to the current rules and has been
5 impacted by the failure of the United States
6 Environmental Protection Agency to determine a
7 regulatory standard for radium.

8 The City of Joliet operates 11 wells that produce
9 water with a radium concentration in excess of 5
10 pCi/L. Joliet has developed a plan to provide
11 compliance with the 5 pCi/L standard. The cost of
12 implementing this plan is in excess of \$50,000,000.

13 The failure of the United States Environmental
14 Protection Agency to set standards for radium has left
15 the city of Joliet in a difficult position. If Joliet
16 would complete construction plans and award
17 construction contracts, the allowable radium
18 concentration could be changed by the USEPA prior to
19 the completion of construction. The funds used for
20 construction would appear to be citizens of Joliet to
21 be wasted.

22 The situation is aggravated by the fact that the
23 City of Joliet is currently growing at the rate of
24 2,000-3,000 people per year. This growth requires the

1 extension of the water supply mains into the
2 developing areas of Joliet.

3 The extension of mains has only been possible
4 because Joliet has obtained variances from Restricted
5 Status on two separate occasions. The second variance
6 is due to expire in February 1997. The inability to
7 extend the water supply system would stop the growth
8 of the Joliet community and have a major economic
9 impact on the community.

10 The City of Joliet supports the rulemaking
11 proposed by the IEPA that will allow the continued
12 extension of the water supply system during the period
13 of time necessary for the USEPA to establish a
14 national Primary Drinking Water Standard for
15 radium-226, radium-228 and gross alpha particle
16 activity and for the new standard to become effective.
17 This will allow Joliet to continue to grow and extend
18 the Joliet Public Water Supply.

19 Joliet also supports the IEPA proposal as it will
20 no longer require Joliet to apply for a variance from
21 the Standards of Issuance and Restricted Status. The
22 variance procedure requires the expenditure of
23 substantial resources of the City of Joliet as well as
24 those of the IEPA and the Illinois Pollution Control

1 Board.

2 I don't want to take your time to read it either.
3 All I would like to add after some discussion this
4 morning, I'd like to expand a little bit on what
5 Joliet's plan is for complying with the picocuries per
6 liter standard, if that's what's ultimately necessary.
7 Basically we're going to develop an alternate source,
8 the selective source is the Kankakee River. I guess
9 the reason that this solution was selected, at least
10 there are two reasons.

11 The first is that Joliet currently operates 11
12 deep wells that are impacted by radium, and these
13 wells are scattered throughout the city of Joliet.

14 As a result of this wide distribution of the
15 wells, it's not possible to have central treatment,
16 which is usually most cost effective, and I think what
17 the USEPA considered when they looked at the costs
18 required.

19 Our choice is that we're going to use the existing
20 source, would be to build nine treatment sites, or to
21 build an extensive amount of raw water collection
22 piping to bring these multiple sources to one
23 treatment site.

24 An analysis that we did prior to selecting the

1 Kankakee River as a solution indicated that either the
2 multiple treatment sites or the extensive raw water
3 piping and then the extensive finished water
4 distribution piping to get the supply back to where
5 the customers use it exceeded the cost of the new
6 source.

7 And of course the second reason that we've
8 selected a new source as opposed to treatment is that
9 it does provide additional capacity for what is now a
10 growing customer base. And that's all I have. I'm
11 available for questions.

12 HEARING OFFICER: Off the record one moment.

13 (Off the record discussion.)

14 HEARING OFFICER: Ron, do you have any
15 questions?

16 DR. FLEMAL: No.

17 MS. TONSOR: I have one if I may. When does
18 Joliet's variance from restricted status expire?

19 MR. DUFFIELD: February of 1997.

20 HEARING OFFICER: I have a question, and
21 that's do you have any idea of how much it would cost
22 the city to pursue extension of that variance?

23 MR. DUFFIELD: I have a current estimate, it
24 would be in the thousands of dollars.

1 HEARING OFFICER: Thank you. Any other
2 person have questions of this witness?

3 (No response.)

4 HEARING OFFICER: Seeing no one, thank you,
5 sir.

6 MR. DUFFIELD: Thank you.

7 HEARING OFFICER: Any other person present
8 wish to --

9 MR. BEVER: Yes, I have a testimony I have
10 not prefiled, but I do have copies if that would be
11 appropriate.

12 HEARING OFFICER: Okay. Identify yourself.

13 MR. BEVER: My name is Gerald Bever. I'm the
14 water superintendent for the city of DeKalb. Spelling
15 of the last name is B-e-v-e-r.

16 HEARING OFFICER: Would you swear the
17 witness.

18 (The witness was sworn.)

19 HEARING OFFICER: I would request that you
20 read your testimony, since that has not been prefiled,
21 and could you give a copy to the court reporter.

22 MR. BEVER: She has received a copy.

23 HEARING OFFICER: Okay, thank you.

24 A. Again my name is Gerald Bever. I am the

1 water superintendent for the city of DeKalb, Illinois.
2 My responsibilities include directing and coordinating
3 activities of the water division. I am a Class A
4 certified water supply operator, and I am the operator
5 and responsible charge for the city of DeKalb public
6 water supply.

7 My testimony has two parts. First, I support the
8 Illinois Environmental Protection Agency's requested
9 amendment to allow the Agency to issue construction
10 permits notwithstanding the fact that a supply is
11 listed on restricted status for a violation of the
12 interim radium standard of five picocuries per liter.

13 The city of DeKalb was recently granted an
14 extension of variance from the requirements of
15 Standards of Issuance and Restricted Status as they
16 relate to the maximum contaminant level for combined
17 radium.

18 A great deal of time and money was expended by the
19 Illinois Pollution Control Board, Illinois
20 Environmental Protection Agency, and the City of
21 DeKalb during the variance process.

22 At this time DeKalb's City Council and staff do
23 not feel it appropriate to spend millions of dollars
24 on radium removal considering the Federal

1 Environmental Protection Agency's proposal to raise
2 the radium MCL to 20 picocuries per liter for each
3 radium 226 and radium 228.

4 In addition, it does not seem fiscally responsible
5 to continue requiring state and local citizens to
6 spend money to acquire a variance due to exceeding the
7 interim radium standard, but not exceeding the
8 proposed standard.

9 The second part of this testimony is my concern
10 for the status of a water supply's existing variance,
11 should the Board grant the Agency's request to amend
12 the Public Water Supply regulations.

13 I would suggest that the Board not withdraw any
14 variance that currently has been granted.
15 Subsequently, this would protect a water supply from
16 randomly losing a previously granted variance which
17 would still be needed should the Federal Environmental
18 Protection Agency withdraw the proposed radium
19 standard, or establish a standard which is lower than
20 a water supply's current radium level.

21 Without a variance the Board, Agency and water
22 supply would again be required to go through the
23 costly variance process until radium compliance could
24 be met. With an existing variance, a water supply

1 could continue to extend their water distribution
2 system to new customers while pursuing compliance with
3 the radium standard.

4 Currently, a water supply with a variance must
5 notify their consumers that the supply has been
6 granted a variance by the Illinois Pollution Control
7 Board. This requirement would not change. Supplies
8 with or without a variance from Standards of Issuance
9 and Restricted Status would continue to meet the same
10 public notification for exceeding the combined radium
11 MCL, sampling and reporting requirements now in place.

12 For water supplies that exceed the radium MCL, the
13 only difference between a supply with a variance and a
14 supply without a variance is the requirement of the
15 supply with a variance to notify its consumers of that
16 variance.

17 It would be beneficial for a community to be
18 allowed to retain a previously granted variance, as
19 the notification process is minimal.

20 However, the Board may also wish to consider
21 giving each water supply the option of retaining their
22 existing variance until its termination, or allow the
23 supply to request their variance be withdrawn should
24 they feel it would be beneficial.

1 When an existing variance expires, the water
2 supply would not be placed on restricted status and
3 therefore would not be required to go through the
4 process of requesting an extension of variance.

5 And with that I would welcome any questions.

6 DR. FLEMAL: Thank you, Mr. Bever. You've
7 touched on a subject here that I've been concerned
8 about since we had this proposal offered to us and
9 that is this issue of what should be the status of any
10 variances that are already out there.

11 In terms, however, of the solution that you pose,
12 I wonder whether there isn't an unforeseen difficulty.
13 The variance that you hold and all other communities
14 affected by the radium problem that have variances
15 hold, is a variance from restricted status. It
16 doesn't constitute a variance from any other
17 regulation, including obviously the standard itself.

18 Accordingly, if you didn't have the variance, if
19 something happened to the current variance, what
20 protection would you envision that you would have
21 other than that protection from restricted status,
22 what good would it do you?

23 MR. BEVER: If we no longer had the variance?

24 DR. FLEMAL: Yes. If we had the two

1 circumstances present, there was no longer a
2 restricted status list on which you appeared for the
3 radium, and second, the variance that you currently
4 hold wasn't in effect.

5 MR. BEVER: We would have no other problems
6 as far as other than meeting the federally mandated
7 public notification.

8 DR. FLEMAL: But you think holding the
9 variance might give you some federal protection, is
10 that what I thought I heard in your testimony?

11 MR. BEVER: Holding the variance, if the
12 radium level were changed, the reason we have our
13 variance now is because of the proposed standard,
14 that's the reason we sought our variance is because of
15 the proposed standard exceeding our radium level.

16 If the radium level were finalized, according to
17 our current variance, we would have a time line with
18 which to comply with radium removal. Either by
19 meeting a new standard or with treatment processes to
20 remove the radium level.

21 DR. FLEMAL: If the radium standard was
22 finalized at some value less than appears in your
23 water supply --

24 MR. BEVER: Yes.

1 DR. FLEMAL: -- you would have an additional
2 two years afforded by this variance to attain that new
3 compliance with that new standard.

4 MR. BEVER: Correct. If we did not have our
5 existing variance, we would no longer be able to
6 extend water systems, water mains to new parts of our
7 community, and we would therefore have to receive a
8 variance, seek a new variance at that time to allow us
9 to construct water mains to new parts of our community
10 while constructing treatment processes to --

11 DR. FLEMAL: Yes, I think I understand now
12 the scenario. I had not really thought about the
13 possible existence of that happening.

14 MR. BEVER: And since we just received our
15 variance extension, our variance is good until --
16 well, for five years, from September of '96.

17 DR. FLEMAL: You've obviously raised an issue
18 that I think we all have to give some thought to, and
19 I would encourage not only you personally but perhaps
20 in the water supply community to think about that
21 issue, and the Agency as well, and advise the Board of
22 what your perspectives would be.

23 MR. BEVER: We have estimated the cost to
24 remove the radium, because like Joliet, we have nine

1 wells spread out through our community, central
2 treatment is not a viable option for us, so it would
3 be individual treatment at each source, and that
4 estimate has been at 12 million dollars to complete
5 that. To raise those sorts of money, those funds to
6 begin the treatment and removal of radium, at the same
7 time having to go back and also seek a variance if we
8 didn't have one, would be very timely and costly for
9 our community and restrict the growth of our community
10 drastically.

11 DR. FLEMAL: We've had a number of people put
12 on the record an estimate of the cost to them to go
13 through the variance process. DeKalb has been an
14 unusual circumstance in that it's had public hearings
15 in DeKalb and perhaps more lengthy process than almost
16 anybody else seeking a variance has been exposed to.
17 But even at that, do you have some estimate of what it
18 cost you to pursue the variance?

19 MR. BEVER: I spoke with our city attorney
20 and city manager on this issue, and we are trying to
21 get some numbers together. Because there are so many
22 different parties involved, and some of their time has
23 not yet been pulled together as far as cost estimate
24 for receiving our variance, but at this point it looks

1 as though it would exceed, you know, 20,000 dollars.

2 DR. FLEMAL: All right. Aside from the costs
3 that were associated simply with the hearing process
4 itself, did the city incur any costs in preparing
5 information to support the variance, any particular
6 studies or special studies for example that had to be
7 commissioned?

8 MR. BEVER: We hired Dr. Roland, an expert
9 witness on our behalf. We also requested information
10 from Dr. Touey, who is no longer in Illinois. He
11 provided information on our behalf that was submitted
12 at the hearing.

13 DR. FLEMAL: Those are both costs that as I
14 would view it flowed from the hearing. You also had
15 costs, however, flowing from preparing your variance
16 petition to begin with?

17 MR. BEVER: Correct.

18 DR. FLEMAL: Did that have any special
19 studies that you needed to undertake to simply
20 document --

21 MR. BEVER: A great deal of staff time in
22 trying to obtain information from not only our
23 records, but comparing them with records of other
24 communities, requesting information from other

1 communities on their radium levels, to do a comparison
2 at the time that we did our presentation.

3 DR. FLEMAL: That's all.

4 HEARING OFFICER: Does anyone present have
5 any further questions of this witness?

6 (No response.)

7 HEARING OFFICER: Seeing none --

8 MS. TONSOR: I have a note for clarification.
9 Your concern is precisely the situation of if a radium
10 level is set between 5 and 20 picocuries per liter, or
11 is rolled to the 5 picocuries per liter, what time
12 line would be available for you, absent the variance
13 which you have in existence, is that a fair statement?

14 MR. BEVER: Partially.

15 MS. TONSOR: Okay.

16 MR. BEVER: Yes, the time line for meeting
17 the new standard, whatever it may be, but also the --
18 our community's ability to continue to receive
19 construction and operating permits to extend water
20 service to new customers in that interim period of
21 time.

22 MS. TONSOR: Okay.

23 DR. FLEMAL: The assumption being that
24 interim period you'd become on restricted status,

1 because the conditions of this proposed rule would
2 have expired.

3 MR. BEVER: Correct. As I read your proposed
4 rule, if we were to lose our current variance, then we
5 would have no variance from restricted status. And if
6 the Illinois Pollution -- or the Federal Environmental
7 Protection Agency finalized a standard for radium, and
8 we did not meet that standard, we would immediately go
9 back on restricted status, and therefore we would have
10 to go through the costly process of acquiring a
11 variance so that we could continue to extend water
12 mains to new customers while also beginning
13 construction of treatment processes to remove the
14 radium.

15 MS. TONSOR: This circumstance would not
16 happen, however, if your current variance would
17 continue?

18 MR. BEVER: That's how I understand it, that
19 we would retain our variance from restricted status,
20 and if within the period of the variance the Federal
21 Environmental Protection Agency finalized their radium
22 proposal, we would still have the time that is
23 established in our variance for compliance and still
24 be able to receive operating and construction permits

1 in that period of time.

2 HEARING OFFICER: If the language that the
3 Agency has proposed were altered to read that the
4 provision lifting restricted status would not expire
5 until the Board has acted to adopt whatever federal
6 standard USEPA has promulgated, would that remove your
7 concerns?

8 MR. BEVER: I don't believe so, because if
9 today the Federal EPA established a standard or
10 withdrew the proposed standard, the standard would
11 then be five picocuries, and we would still have the
12 time line established by our current variance to
13 comply with meeting that standard, and we would still
14 be allowed to be issued construction and operating
15 permits.

16 In your scenario I believe that you would have a
17 period of time that you would have to adopt the
18 federal standard. That could be less than -- that
19 time could be less than our -- the remainder of our
20 variance.

21 HEARING OFFICER: Thank you. Any further
22 questions of this witness?

23 MS. TONSOR: I have no questions.

24 HEARING OFFICER: Seeing no indication, thank

1 you, sir.

2 MR. BEVER: Thank you.

3 HEARING OFFICER: Is there any other person
4 present who -- yes, sir.

5 MR. DUFFIELD: I'm Dennis Duffield, could I
6 add to my testimony? After the presentation by Mr.
7 Bever I have some comments.

8 HEARING OFFICER: Yes, sir.

9 MR. DUFFIELD: The city of Joliet, dissimilar
10 from DeKalb, our variance runs out in February of '97,
11 which would mean that if the USEPA established a final
12 standard or withdrew their proposal, that we would be
13 placed on restricted status shortly after the end of
14 February of '97.

15 Our construction program for an alternate source
16 will require two absolute full years of construction
17 with some planned preparation time ahead of that, so
18 we'd need two and a half to three years for
19 compliance.

20 I just would request that the Board take that into
21 consideration as they look at the language for how
22 they write the expiration of this proposed rule if it
23 is approved.

24 HEARING OFFICER: Thank you. Does any other

1 person present wish to put anything more on the
2 record?

3 (No response.)

4 HEARING OFFICER: Seeing no indication, I
5 will state now what I possibly should have stated out
6 front in the last hearing, is that the Board
7 procedures provide for a notice list and a service
8 list for this proceeding.

9 The notice list, persons whose names appear on
10 that list, they will receive copies of all Board and
11 Hearing Officer orders pertaining to this matter.
12 Persons whose names are on the service list -- the
13 Board rules would require any person submitting public
14 comments, motions or any other filing in this matter
15 to also serve copies of those documents on the persons
16 whose names appear on the service list.

17 There are aside from the clerk of the Board and
18 myself in the Agency, there are I believe one or two
19 other names on the service list at this time. If any
20 person wants their name added to the service list,
21 please contact me and I will see to it that is done.

22 The other -- off the record

23 (Off the record discussion.)

24 HEARING OFFICER: Back on the record. We

1 just had discussion off the record of public comment
2 period. It was decided that the posthearing public
3 comment period would end on November 15th, with
4 delivery to the Board not posted by that date but
5 delivered to the Board so that the Board might be free
6 to propose amendments at the November 21st Board
7 meeting.

8 Following the Board proposal of any amendments, a
9 notice of -- or notices of proposed amendments would
10 appear in the Illinois Register, and a public comment
11 period that would again trigger a separate public
12 comment period. The November 15th deadlines apply
13 specifically to posthearing comments.

14 Does anyone present wish to say anything more for
15 the record?

16 (No response.)

17 HEARING OFFICER: Seeing no indication, this
18 hearing is adjourned.

19 (Which were all the proceedings held on
20 the hearing of this cause on this date.)

21

22

23

24

1 STATE OF ILLINOIS)
) SS
2 COUNTY OF SANGAMON)

3 CERTIFICATE

4 I, Susan Freeman, affiliated with Capitol
5 Reporting Service, Inc., do hereby certify that I
6 reported in shorthand the foregoing proceedings; that
7 the witness was duly sworn by me; and that the
8 foregoing is a true and correct transcript of my
9 shorthand notes so taken as aforesaid.

10 I further certify that I am in no way
11 associated with or related to any of the parties or
12 attorneys involved herein, nor am I financially
13 interested in the action.

14

15

16

Certified Shorthand Reporter
License No. 084-001342
Registered Professional Reporter
and Notary Public

19

20 Dated this 31st day of
21 October, A.D., 1996,
22 at Springfield, Illinois.

23

24

