

ILLINOIS POLLUTION CONTROL BOARD  
December 8, 2008

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 07-30
	)	(IEPA No. 375-06-AC)
BOBBY G. MYERS and DONALD D.	)	(Administrative Citation)
MYERS,	)	
	)	
Respondents.	)	

**HEARING REPORT**

On December 4, 2008, a hearing in this matter was held at the Union County Courthouse in Jonesboro, Illinois. Attorney Michelle Ryan appeared on behalf of the complainant. Attorney Wesley Wilkins appeared on behalf of the respondents.

**Witness Credibility**

3 witnesses testified during the hearing:

Mr. Garrison Gross  
Mr. Bobby Myers  
Mr. Donald Myers

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**

Complainant's Exhibit 1 is the open dump inspection checklist dated December 5, 2006. Complainant's Exhibit 2 is a letter from respondents to inspector Garrison Gross dated June 28, 2005. Complainant's Exhibit 3 is an open dump administrative citation warning notice with a file-stamp date of June 16, 2005. Respondents' Exhibit 1 is a quitclaim deed pertaining to ownership of the site. All exhibits were admitted into evidence.

**Briefing Schedule**

The transcript is due December 16, 2008. Complainant's brief is due by December 16, 2008. Respondents' brief is due by December 30, 2008. The mailbox rule will apply.

IT IS SO ORDERED.

*Carol Webb*

---

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274  
217/524-8509

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 8, 2008, to each of the person on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on December 8, 2008:

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



Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274  
217/524-8509  
webbc@ipcb.state.il.us

AC 2007-030  
Michelle M. Ryan  
IEPA  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

AC 2007-030  
Bobby G. Myers  
P. O. Box 82  
Cobden, IL 62920

AC 2007-030  
Donald D. Myers  
P. O. Box 184  
Cobden, IL 62920

AC 2007-030  
H. Wesley Wilkins  
602 South Main Street  
P. O. Box 691  
Anna, IL 62906