

ILLINOIS POLLUTION CONTROL BOARD
May 6, 2010

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 09-55
) (Administrative Citation)
)
JASON D. & ANGELA R. MARRS d/b/a)
MARRS HAULING, LANDSCAPING &)
MORE,)
)
Respondents.)

ORIGINAL

HEARING REPORT

On May 5, 2010, a hearing in this matter was held at the Urbana City Building in Champaign County. Attorney Michelle Ryan appeared on behalf of the complainant. Attorney Blake Weaver appeared on behalf of the respondents.

Witness Credibility

2 witnesses testified during the hearing:

Mr. Mike Mullins
Mr. Jason Marrs

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, the open dump inspection checklist dated May 18, 2009, was admitted as evidence at hearing. Respondent's Exhibit 1, receipts for work performed at the site prior to May 18, 2009, was also admitted as evidence. Complainant objected to the relevance of the post-inspection receipt, dated July 6, 2009. The hearing officer accepted the receipt as an offer of proof.

Briefing Schedule

The transcript is due by May 17, 2010 and will be posted on the Board's website. The public comment deadline is May 19, 2010. Complainant's brief is due by June 28, 2010. Respondents' brief is due by July 30, 2010. 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
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PCB 03-126
July 16, 2003 Hearing

Exhibit List

Exhibit	Description	Status
Petitioner's Exhibit #1		Admitted
Petitioner's Exhibit #2		Admitted
Petitioner's Exhibit #3		Admitted
Petitioner's Exhibit #4		Admitted
Petitioner's Exhibit #5		Admitted
Petitioner's Exhibit #6		Admitted
Petitioner's Exhibit #7		Admitted
Petitioner's Exhibit #8		Admitted
Petitioner's Exhibit #9		Admitted
Petitioner's Exhibit #10		Admitted
Respondent's Exhibit #1		Admitted
Respondent's Exhibit #2		Admitted
Respondent's Exhibit #3		Admitted
Respondent's Exhibit #4		Admitted
Respondent's Exhibit #5		Admitted
Respondent's Exhibit #6		Admitted
Respondent's Exhibit #7		Admitted
Respondent's Exhibit #8		Admitted
Respondent's Exhibit #9		Admitted

Respondent's Exhibit #10		Admitted
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 6, 2010, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on May 6, 2010:

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



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