

## THE ILLINOIS POLLUTION CONTROL BOARD

BROADUS OIL COMPANY,

Petitioner,

vs

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Respondent.

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STATE OF ILLINOIS  
Pollution Control Board

PCB 10-48

TRANSCRIPT FROM THE PROCEEDINGS  
taken before HEARING OFFICER CAROL WEBB, by  
LORI ANN ASAUSKAS, CSR, RPR, a notary public  
within and for the County of Cook and State  
of Illinois, at the Illinois Pollution Control  
Board, 1021 North Grand Avenue East (North  
Entrance), Springfield, Illinois, on the 7th  
day of November 2012, A.D., at 10:30 a.m.

1 A P P E A R A N C E S:

2 ILLINOIS POLLUTION CONTROL BOARD,  
3 1021 North Grand Avenue East  
4 North Entrance  
5 Springfield, Illinois 60601  
6 (217) 524-8509  
7 webbc@ipcb.state.il.us  
8 BY: MS. CAROL WEBB, HEARING OFFICER,

9 ELIAS, MEGINNES, RIFFLE & SEGHETTI, P.C.,  
10 416 Main Street  
11 Suite 1400  
12 Peoria, Illinois 61602  
13 (309) 637-6000  
14 rriffle@emrslaw.com  
15 BY: ROBERT M. RIFFLE,

16  
17 Appeared on behalf of the Petitioner;

18  
19 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
20 1021 North Grand Avenue East  
21 P.O. Box 19276  
22 Springfield, Illinois 62794-9276  
23 (217) 524-3332  
24 scott.severs@illinois.gov  
BY: MR. SCOTT B. SEVERS,

Appeared on behalf of the Respondent.

I N D E X

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NO EXHIBITS MARKED

1 HEARING OFFICER WEBB: Okay. We'll  
2 go ahead and begin for PCB 10-48, Broadus Oil.

3 Good morning. My name is Carol  
4 Webb. This is a hearing for PCB 10-48, Broadus  
5 Oil versus IEPA. It is November 7th and we are  
6 beginning around approximately 10:20 a.m.

7 For the record, although the  
8 Petitioner is located in LaSalle County, there  
9 was no known public interest in this case. Thus,  
10 I granted the parties request to hold the hearing  
11 in Springfield.

12 I will note for the record that  
13 there are no members of the public present. Members  
14 of the public are allowed to provide public comment  
15 if they so choose.

16 At issue in this case is  
17 Petitioner's high priority corrective action plan  
18 budget. The decision deadline is April 18, 2013,  
19 but Petitioner has indicated that it will waive  
20 the decision deadline to June 10, 2013.

21 The Pollution Control Board  
22 members will make the final decision in this case.  
23 My purpose is to conduct the hearing in a neutral  
24 and orderly manner so that we have a clear record

1 of the proceedings.

2 This hearing was noticed  
3 pursuant to the act in the Board's rules and  
4 will be conducted pursuant to Sections 101.600  
5 through 101.631 of the Board's procedural  
6 rules.

7 At this time I will ask the  
8 parties to please make their appearances on the  
9 record.

10 MR. RIFFLE: Good morning, your  
11 Honor. I am Robert Riffle on behalf of Broadus  
12 Oil Company.

13 HEARING OFFICER WEBB: Thank you.

14 MR. SIEVERS: Good morning. I am Scott  
15 Sievers on behalf of the Respondent.

16 HEARING OFFICER WEBB: Thank you. Are  
17 there any preliminary matters to discuss on the  
18 record this morning?

19 MR. RIFFLE: Yes. With my sincere  
20 apologies, I find myself in need of requesting  
21 the Court's indulgence as well as counsel. I  
22 learned that my client and key witness, Mr. Green,  
23 had a medical emergency and is in the process of  
24 undergoing medical treatment this morning. I will

1 not be able to proceed substantively today without  
2 his attendance. For that reason, I respectfully  
3 request a continuance of today's hearing.

4 Off the record, we discussed  
5 potential dates. It's my understanding that  
6 December 19th at 10:30 a.m. would be convenient  
7 for all parties as well as the tribunal. I would,  
8 therefore, respectfully request a continuance to  
9 that date and time.

10 HEARING OFFICER WEBB: And the  
11 Respondent does not object to that the request?

12 MR. SIEVERS: That's correct, your  
13 Honor.

14 HEARING OFFICER WEBB: All right.  
15 This hearing is continued to December 19th at  
16 10:30 a.m. However, it will be scheduled in  
17 conjunction with two other hearings on the same  
18 day so it may begin at a later time.

19 We are continuing this. I'm  
20 not adjourning, but I am just continuing. Thank  
21 you and we will go off the record.

22 MR. RIFFLE: Thank you.

23 MR. SIEVERS: Thanks, your Honor.

24 HEARING OFFICER WEBB: You are all very

1 welcome.

(Whereupon, the above-entitled  
proceedings were continued to  
December 19, 2012, at 10:30  
a.m.)

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF C O O K )  
4  
5

6 I, LORI ANN ASAUSKAS, CSR, RPR,  
7 do hereby state that I am a court reporter doing  
8 business in the City of Chicago, County of Cook,  
9 and State of Illinois; that I reported by means  
10 of machine shorthand the proceedings held in the  
11 foregoing cause, and that the foregoing is a true  
12 and correct transcript of my shorthand notes so  
13 taken as aforesaid.

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24

Lori Ann Asauskas

Lori Ann Asauskas, CSR, RPR.

Notary Public, Cook County, Illinois



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