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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
July 30, 2014

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

NORTHERN ILLINOIS SERVICE
COMPANY,

Respondent.

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AC 12-51
(IEPA No. 87-12-AC)
(Administrative Citation)



ORIGINAL

HEARING REPORT

On July 24, 2014, a hearing in this matter was held at the State of Illinois Rockford Regional Office, 4302 North Main Street, Rockford, Illinois, 61103. Special Assistant Attorney General Scott Sievers appeared and participated on behalf of the complainant. Attorney Peter DeBruyne appeared and participated on behalf of the respondent.

Exhibits

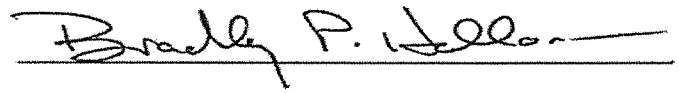
The parties offered exhibits as evidence at the hearing. An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order.

On July 28, 2014, the hearing officer contacted the parties regarding Respondent's Exhibit 4. Respondent's Exhibit 4 includes copies of Respondent's invoices dating from January 10, 2009 to and including November 15, 2012. Invoices predating the March 14, 2012, inspection in which the administrative citation is premised, comprising of dates from January 10, 2009 to and including September 13, 2011, were admitted over objection at the hearing. Any invoices dated after the inspection date of March 14, 2012, were accepted as an offer of proof at the hearing. On July 28, 2014, it was agreed that the invoices accepted as an offer of proof is now marked as Respondent's Exhibit 6.

Briefing Schedule

A briefing schedule was discussed and agreed to at the hearing. The complainant's post-hearing brief is due to be filed on or before September 12, 2014. The respondent's post-hearing brief is due to be filed on or before October 13, 2014. Complainant's reply brief, if any, is due to be filed on or before October 27, 2014. Public comment is due to be filed on or before September 8, 2014.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over 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
Brad.halloran@illinois.gov

AC 12-51
July 24, 2014 Hearing

Exhibit List

Exhibit	Description	Status
Complainant's Exhibit A	Inspection Report, dated March 14, 2012	Admitted
Complainant's Exhibit B	Blow-up photograph from inspection report of tire containing water	Admitted
Complainant's Exhibit C	Blow-up photograph from inspection report of tire containing water	Admitted
Complainant's Exhibit D	Blow-up photograph from inspection report of tires and wrecking ball	Admitted
Complainant's Exhibit E	Blow-up photograph from inspection report of pile containing plastic, lumber, metal etc.	Admitted
Respondent's Exhibit 1	Tire Storage Site Inspection, dated January 5, 2010	Admitted
Respondent's Exhibit 2	Aerial photograph of site	Admitted
Respondent's Exhibit 3	Aerial photograph of site	Admitted
Respondent's Exhibit 4	Invoices dating from January 10, 2009, to and including September 13, 2001.	Admitted
Respondent's Exhibit 5	Summary of Receipts attached to the Invoices in Respondent's Exhibit 4 and 6, dating from January 6, 2009, to and including November 7, 2012.	Only the Summary of Receipts pre-dating the March 14, 2012, Inspection were admitted. The Summary of Receipts post-dating the March 14, 2012, Inspection were taken as an offer of proof
Respondent's Exhibit 6	Invoices dating from March 17, 2012, to and including November 15, 2012	Taken as offer of proof

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on July 30, 2014, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on July 30, 2014:

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



Bradley P. Halloran
 Hearing Officer
 Illinois Pollution Control Board
 100 W. Randolph Street, Suite 11-500
 Chicago, Illinois 60601
 (312) 814-8917

SERVICE LIST

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AC 2012-051
 Wayne Klinger
 Northern Illinois Service Company
 4781 Sandy Hollow Road
 Rockford, IL 61109

AC 2012-051
 Peter DeBruyne
 Peter DeBruyne, P.C.
 838 North Main Street
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AC 2012-051
 Scott Sievers
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