

1 The Board will finalize the matrix of exhibits indicating whether an exhibit has been
2 stipulated, admitted for all purposes, or admitted for limited purposes. The designation shall be
3 derived from the “matrix” developed before hearing and changes made during the hearing.
4 During the hearing, the Board indicated that any objections previously noted on the matrix would
5 need to be reasserted by the objecting party at the time the exhibit was offered. Failure to
6 reassert the objection resulted in a waiver of that objection and such will be reflected on the
7 revised matrix. For those objections that were reasserted, the Board’s ruling during the hearing
8 will now be reflected on the revised matrix. For those exhibits with objections that were not
9 referenced during the hearing, the exhibit will be admitted, but for the limited purpose as
10 background, not for the truth of the matter asserted. The revised matrix, once finalized, will be
11 attached to an order of the board and will become part of the record.

12 During the hearing, the Board ruled on the scope of several individual testimonies. Those
13 rulings are memorialized in separate orders issued during the hearing. As a result of one order,
14 Ecology chose to revise the pre-filed testimony of Dave Garland. That revised testimony is
15 attached to this order and made a part of the record. In addition, Ecology provided an offer of
16 proof regarding this testimony. That is also attached.

17 Finally, the parties have agreed to submit draft Findings of Fact and Conclusions of Law
18 to assist the Board in writing the opinion. The parties shall file and serve comments or revisions
19 to the proposed outline on or before **April 4, 2002**. Once finalized, this outline will be
20 distributed to the parties. The parties shall have until **April 26, 2002**, to file and serve a
21 proposed draft Findings of Fact and Conclusions of Law. These shall be jointly developed by

1 each side (one for Appellants/Intervenor and one for Respondents). The documents shall be filed
2 in both hard copy and in electronic format.

3 **ORDER**

4 The matters set forth above shall govern the submittal of materials for the record and the
5 filing of draft findings of fact and conclusions of law.

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7 SO ORDERED this 2nd day of April, 2002.

8 POLLUTION CONTROL HEARINGS BOARD

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KALEEN COTTINGHAM, Presiding