

ILLINOIS POLLUTION CONTROL BOARD
September 22, 2016

IN THE MATTER OF:)
)
PERMIT BY RULE FOR BOILERS:) R17-9
AMENDMENTS TO 35 ILL. ADM. CODE) (Rulemaking – Air)
PARTS 201 AND 211)

NOTICE OF HEARING

DATES, TIMES, AND PLACES:

FIRST HEARING: WEDNESDAY, OCTOBER 26 AT 1:00 P.M.

CHICAGO HEARING ROOM

Illinois Pollution Control Board
Room 2-025
James R. Thompson Center
100 W. Randolph St.
Chicago, Illinois

SPRINGFIELD HEARING ROOM

Illinois Pollution Control Board
Conference Room 1244N
1021 N. Grand Ave. East, North Entrance
Springfield, Illinois

Hearing sites will be connected through video conference.

SECOND HEARING: WEDNESDAY, NOVEMBER 16 AT 1:00 P.M.

CHICAGO HEARING ROOM

Illinois Pollution Control Board
Room 2-025
James R. Thompson Center
100 W. Randolph St.
Chicago, Illinois

SPRINGFIELD HEARING ROOM

Illinois Pollution Control Board
Conference Room 1244N
1021 N. Grand Ave. East, North Entrance
Springfield, Illinois

Hearing sites will be connected through video conference.

PURPOSE OF HEARINGS: Merit and Economic
PRESIDING BOARD MEMBER: Gerald M. Keenan
HEARING OFFICER: Jason E. James

HEARING OFFICER ORDER

On August 23, 2016, the Illinois Environmental Protection Agency (Illinois EPA) proposed that the Board amend Parts 201 and 211 of the Board's air pollution regulations.¹ The proposal contains general provisions for permits by rule and provisions that would allow construction of small boilers under a specific permit by rule.

On September 8, 2016, the Board accepted the proposal for hearing and directed the assigned hearing officer to schedule a hearing.

Hearings and Pre-filing Testimony

The first hearing in this rulemaking will be held in Chicago and Springfield (connected through videoconference) at 1:00 p.m. on October 26, 2016. The second hearing also will be held in Chicago and Springfield (connected through videoconference), at 1:00 p.m. on November 16, 2016. At these hearings, the Illinois EPA and other interested participants will testify on the merits and economic impact of the proposed rulemaking. Anyone who testifies will be sworn and subject to questioning.

At the first hearing (October 26), Illinois EPA will testify in support of its proposal. Anyone else who seeks to testify at the first hearing must pre-file testimony and any related exhibits with the Clerk of the Board by October 12, 2016. Participants may pre-file questions for witnesses who pre-filed testimony by October 19, 2016. At the hearing, pre-filed testimony and questions will be entered into the record as though read.² Participants may comment during the hearings if time permits at the close of testimony and questions. Participants may also file post-hearing written comments.³

The Board will also take testimony at the second hearing (November 16). Anyone who intends to testify at the second hearing must pre-file testimony and any related exhibits by November 2, 2016. Participants may pre-file questions based pre-filed testimony by November 9, 2016. At the hearing, all pre-filed testimony and questions will be entered into the record as though read.⁴ Participants who did not pre-file testimony for the second hearing will be allowed to testify and respond to questions as time permits. Participants will also be allowed to comment as time permits.

Service and Notice Lists

The hearing officer has established a service list and will maintain a notice list for this proceeding.⁵ The service list for this rulemaking includes persons expected to participate actively in this proceeding. They will receive the Board's opinions and orders in this docket and

¹ 35 Ill. Adm. Code 201, 35 Ill. Adm. Code 211.

² See 35 Ill. Adm. Code 102.424(f).

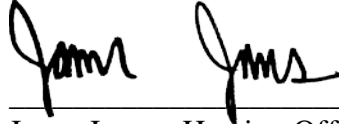
³ See 35 Ill. Adm. Code 102.108(b).

⁴ See 35 Ill. Adm. Code 102.424(f).

⁵ See 35 Ill. Adm. Code 102.442(a), (b).

other filings such as pre-filed testimony and questions.⁶ Those on the notice list will only receive copies of the Board's opinions and hearing officer orders.⁷

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Jason James", is positioned above a horizontal line.

Jason James, Hearing Officer
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, Illinois 60601
312-814-6929
jason.james@illinois.gov

⁶ See 35 Ill. Adm. Code 102.442(b).

⁷ 35 Ill. Adm. Code 102.422(a).