

ILLINOIS POLLUTION CONTROL BOARD
June 20, 2014

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IN THE MATTER OF:)
)
COAL COMBUSTION WASTE (CCW) AND) R14-10
SURFACE IMPOUNDMENTS AT POWER) (Rulemaking - Water)
GENERATING STATIONS: PROPOSED)
NEW 35 ILL. ADM. CODE PART 841)

STATE OF ILLINOIS
Pollution Control Board

 ORIGINAL

NOTICE OF HEARING

DATE, TIME, AND LOCATION:

THURSDAY, JULY 24, 2014

9:00 AM
James R. Thompson Center
Room 9-040
100 W. Randolph St.
Chicago, Illinois

PURPOSE OF HEARING: Merit and Economic
ATTENDING BOARD MEMBER: Jerome D. O'Leary
HEARING OFFICER: Timothy J. Fox

HEARING OFFICER ORDER

The first hearing in this proceeding took place on February 26 and 27, 2014, in Springfield; the second hearing took place on May 14 and 15, 2014, in Chicago; and the third hearing took place on June 18 and 19, 2014, in Chicago.

The Board expects the transcript of the hearing conducted Wednesday, June 18, 2014, to be available no later than Monday, June 30, 2014, and the transcript of the hearing conducted Thursday, June 19, 2014, to be available no later than Tuesday, July 1, 2014. As it receives those transcripts, the Board will post them to its Clerk's Office On-Line (COOL) under docket number R14-10.

At the conclusion of the third hearing, the participants had not addressed each of the questions for the Environmental Groups pre-filed by the Illinois Environmental Protection Agency (Agency) on April 30, 2014, or the questions for the Environmental Groups pre-filed by the Agency on June 11, 2014. Accordingly, the Board schedules an additional hearing as indicated in the notice above.

To expedite the July 24, 2014 hearing, the Environmental Groups are directed to pre-file written responses to Questions 39-60 directed to Ms. Traci Barkley pre-filed by the Agency on

April 30, 2014, and to each of the questions pre-filed by the Agency on June 11, 2014. In addition, the transcript of the May 15, 2014 hearing shows that the Agency had skipped but may wish to return to questions 24-28, 31, and 33-38 directed to Dr. Keir Soderberg that were pre-filed by the Agency on April 30, 2014. Tr. 5/15 at 233, 237-38, 250. The Agency was to review those twelve questions to determine whether they had been addressed.

The Environmental Groups' pre-filed written responses are due on or before Thursday, July 17, 2014. These responses may include supporting exhibits or attachments. The "mailbox rule" (*see* 35 Ill. Adm. Code 101.300(b)(2)) does not apply to the filing of these pre-filed responses, and the Board's Clerk must receive these documents before the close of business on Thursday, July 17, 2014. However, documents may be filed electronically through COOL. *See* 35 Ill. Adm. Code 101.302(d) (prior approval of electronic filing). Pre-filed questions must be served on all persons on the Service List at the time of pre-filing. *See* 35 Ill. Adm. Code 102.424(c).

The hearing officer intends that the July 24, 2014 hearing address only these pre-filed written responses and not any additional testimony or questions.

IT IS SO ORDERED.



Timothy J. Fox, Hearing Officer
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