

ILLINOIS POLLUTION CONTROL BOARD
March 27, 2025

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IN THE MATTER OF:)
)
CLEAN-UP AMENDMENTS TO 35 ILL.) R 25-23
ADM. CODE PARTS 101, 310, 502, 620, 704,) (Rulemaking – Land, Water)
721, 733, 739, 742, 807, 811, 840, 848, 1010,)
AND 1501)

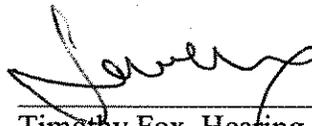
STATE OF ILLINOIS
POLLUTION CONTROL BOARD

HEARING OFFICER ORDER

On March 10, 2025, the Illinois Environmental Protection Agency (IEPA or Agency) filed a proposal to amend numerous Parts of the Board's rules. The proposal included IEPA's Statement of Reasons (SR). On March 20, 2025, the Board accepted the proposal. Also on March 20, 2025, the hearing officer scheduled the first of two required hearing to be held by videoconference between Chicago and Springfield on Thursday, April 17, 2025. IEPA stated that, "[b]ecause of the minimal nature of the amendments, the Agency has not identified any personnel to testify; however, we shall if the Board wishes." SR at 2.

The Board and its staff have reviewed IEPA's Statement of Reasons and proposed amendments. Although the March 20, 2025 hearing officer order did not set a deadline to pre-file questions for the first hearing, the Board submits with this order an Attachment A directing questions to IEPA. Any person may file a comment on IEPA's proposal or respond to the attached questions. Unless the Board, hearing officer, Clerk, or procedural rules provide otherwise, all documents in this proceeding must be filed electronically through the Clerk's Office On-Line (COOL). 35 Ill. Adm. Code 101.302(h), 101.1000(c), 101.Subpart J.

IT IS SO ORDERED.



Timothy Fox, Hearing Officer
Illinois Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605
312-814-6085
tim.fox@illinois.gov

R 25-23**Clean-Up Amendments to 35 Ill. Adm. Code Parts
101, 310, 502, 620, 704, 721, 733, 739, 742, 807, 811, 848, 1010, and 1501
(IEPA Springfield Office Address)**

In its Statement of Reasons, IEPA reported that constructing high-speed rail required demolishing part of the building in which it had its Springfield office and moving the office to a new location. SR at 2. IEPA stated that this move requires updating its address in each of the Board's rules in which it appears. *Id.* IEPA asserts that these revisions are needed to ensure continued public access to the Agency. *Id.* In its opinion and order accepting IEPA's proposed revisions for hearing, the Board recognized that this access is particularly important for reporting discharges, providing notifications, submitting permit applications and reports, and obtaining various information.

In its Statement of Reasons, IEPA indicates that "the amendments merely substitute the Agency's new address for the previous one on North Grand which is currently listed in the Board's regulations." SR at 2; *see id.* at 4.

However, the Statement of Reasons also indicates that, instead of listing the new street address, "the amendments direct the reader to the Agency's website." SR at 2. IEPA argues that updating the address in this manner means that it "will not need to update the regulations should it move locations in the future." *Id.*

The Board notes that this proposal would replace a specific street address with a general reference to a website from which it can be obtained. The proposal does not provide the address of the website.

Based on these factors, the Board requests IEPA's comment on whether it would object if the Board submitted to the Joint Committee on Administrative Rules for second-notice review a proposal that replaces IEPA's former street address with the current street address or the address obtained from its website. Using 35 Ill. Adm. Code 502.202 as an example, the Board requests comment on the following potential amendment:

All permit applications must be mailed or delivered to Illinois Environmental Protection Agency, Bureau of Water, 2520 West Iles Avenue, PO Box 19276-1021 N. Grand Ave. E., Springfield IL 62794-9276 or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website.

The Board also requests comment on whether IEPA has any current expectation of moving locations and, if so, when it expects that move to occur.