

ILLINOIS POLLUTION CONTROL BOARD
November 20, 2008

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
NITROGEN OXIDES EMISSIONS FROM) R08-19
VARIOUS SOURCE CATEGORIES:) (Rulemaking - Air)
AMENDMENTS TO 35 ILL. ADM. CODE)
PARTS 211 AND 217)

HEARING OFFICER ORDER

The first hearing in this proceeding took place Tuesday, October 14, 2008, in Springfield. On Friday, October 24, 2008, the Board received the transcript of that third hearing (Tr.) and posted the transcript to its Web site at www.ipcb.state.il.us. At the conclusion of that hearing, the participants addressed a number of procedural issues.

First, after specific spreadsheets generated a number of questions at hearing, the Agency committed to supply those spreadsheets to the Board by October 21, 2008 so that the Board could make available an Excel version to participants who sought that version of the documents. Tr. at 203. Under this docket number in the Clerk's Office On-Line (COOL), the docket entry dated October 15, 2008, lists the documents available in Excel and includes information on obtaining copies of them.

Second, in responding to question posed at the first hearing, the Agency sought to wait for the filing of the transcript to ensure that they responded to the specific questions raised. Tr. at 203. The Agency committed to filing written responses to those questions by Wednesday, November 5, 2008, and filed them on that date as Public Comment #1.

Third, for the second hearing Tuesday, December 9, 2008, in Chicago, the deadline for pre-filing testimony is Tuesday, November 25, 2008. Tr. at 203. The "mailbox rule" at 35 Ill. Adm. Code 101.300(b)(2) does not apply to the filing of this prefiled testimony, and all filings must be received by the Clerk's Office no later than 4:30 PM on Tuesday, November 25, 2008. See T. at 203-04. However, documents may be filed electronically through the Clerk's Office On-Line (COOL) from the Board's Web site at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

IT IS SO ORDERED.



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