

ILLINOIS POLLUTION CONTROL BOARD
October 9, 2009

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
AMEREN ASH POND CLOSURE RULES) R09-21
(HUTSONVILLE POWER STATION):) (Rulemaking - Land)
PROPOSED 35 ILL. ADM. CODE 840.101)
THROUGH 840.144)

ORIGINAL

HEARING OFFICER ORDER

The hearing in this proceeding took place Tuesday, September 29, 2009, in Robinson, Crawford County. The Board received the transcript of that hearing (Tr.) on Friday, October 9, 2009, and posted it to its Web site at www.ipcb.state.il.us.

Under the Board's procedural rules, "[a]ny person may submit written comments on any proposal within 14 days after the receipt of the hearing transcript in Board offices unless otherwise specified by the hearing officer or the Board." 35 Ill. Adm. Code 102.108(b). The record of the hearing states that, "before it takes action on this joint proposal, the Board will hold open a period for post-hearing comments of 21 days, and with the transcript expected to be available on Friday, October 9, it is expected that the 21-day comment period would expire on Friday, October 30, 2009." Tr. at 111.

Any participant in this proceeding who wishes to file a post-hearing comment with the Board is directed to do so on or before Friday, October 30, 2009. The "mailbox rule" at 35 Ill. Adm. Code 101.300(b)(2) does not apply to the filing of any post-hearing comment, and the Board's Clerk must receive these documents before the close of business on Friday, October 30, 2009. Comments and other 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. Comments must be properly served to participants on the Service List for this proceeding. 35 Ill. Adm. Code 102.108(c). Note that, in the event that the Board issues a proposal for first notice, the Board's procedural rules provide for an additional period for comment. See 35 Ill. Adm. Code 102.108(a), 102.604.

IT IS SO ORDERED.



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