

ILLINOIS POLLUTION CONTROL BOARD  
December 6, 2010

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
REGULATORY PROPOSAL FOR NOX ) R11-8  
TRADING PROGRAM SUNSET ) (Rulemaking - Air)  
PROVISIONS FOR NON-ELECTRIC )  
GENERATION UNITS ("NON-EGU."): )  
AMENDMENTS TO 35 ILL. ADM. CODE )  
PART 217. SUBPART U )

**NOTICE OF HEARING**

DATES, TIMES, AND PLACES:

February 3, 2011

1:00 p.m.  
James R. Thompson Center, Room 9-040  
100 West Randolph Street  
Chicago, Illinois 60601

PURPOSE OF HEARING: Merit and Economic  
ATTENDING BOARD MEMBERS: Gary L. Blankenship  
HEARING OFFICER: Daniel L. Robertson

**HEARING OFFICER ORDER**

On September 2, 2010, the Board accepted for hearing a proposal for statewide general rulemaking filed on August 19, 2010, by the Illinois Environmental Protection Agency (Agency). The proposal seeks to amend the Board's air rules pursuant to the general rulemaking provisions of Sections 10, 27 and 28 of the Illinois Environmental Protection Act (415 ILCS 5/10, 27 and 28 (2008)) and the Board's procedural rules at 35 Ill. Adm. Code 102.202(b). The Agency states that the proposed amendments would sunset the trading provisions of the Nitrogen Oxide SIP Call Trading Program. The sole provisions to be amended involve the holding and trading provisions in Part 217.Subpart U, codified at 35 Ill. Adm. Code Part 217.Subpart U.

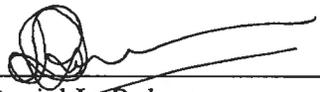
The first hearing is currently set for December 9, 2010 in Springfield.

An additional hearing is set for February 3, 2011. Testimony for the February 3, 2011 hearing is due by January 20, 2011. All testimony will be taken as if read and we will proceed with questions immediately.

This hearing will also fulfill the statutory obligations under Section 27(b) of the Environmental Protection Act (Act) (415 ILCS 5/27(b) (2008)). Section 27(b) of the Act requires the Board to request the Department of Commerce and Economic Opportunity to conduct an economic impact study on certain proposed rules prior to adoption of those rules. If DCEO chooses to conduct the economic impact study, DCEO has 30 to 45 days after such request to produce a study of the economic impact of the proposed rules. The Board must then make the economic impact study, or DCEO's explanation for not conducting the study, available to the public at least 20 days before a public hearing on the economic impact of the proposed rules. The Board sent the request to DCEO on October 26, 2010, and has not yet received a response.

All filings in this proceeding will be available on the Board's web page at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) and participants may file electronically on the Board's web page. All filings must be served on the persons on the service list.

IT IS SO ORDERED.



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