

ILLINOIS POLLUTION CONTROL BOARD

February 17, 2011

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STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

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)	

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.

On December 9, 2010, the Board held the first hearing in this proceeding in Springfield. During that hearing, several requests were made of the Agency for additional information. The Agency addressed these requests in a post-hearing comment filed on January 14, 2011.

A second hearing was held in Chicago on February 17, 2011. This hearing also fulfilled the Board's statutory obligations under Section 27(b) of the Environmental Protection Act (415 ILCS 5/27(b) (2008)). At the close of the second hearing, March 21, 2011, was agreed to as the date for final comments on the rulemaking proposal. Therefore, all comments that persons wish the Board to consider prior to the Board proceeding with this rulemaking must be filed by March 21, 2011.

All filings in this proceeding will be available on the Board's web page at 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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