

ILLINOIS POLLUTION CONTROL BOARD  
July 16, 2013

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
VAPOR RECOVERY RULES: ) R13-18  
AMENDMENTS TO 35 ILL. ADM. CODE ) (Rulemaking - Air)  
PARTS 201, 218, and 219 )



ORIGINAL

**HEARING OFFICER ORDER**

On the final day for public comments in this rulemaking, July 8, 2013, the Illinois Petroleum Marketers Association and the Illinois Association of Convenience Stores (collectively, IPMA) filed a public comment (PC2). IPMA proposes that the requirement for new gasoline stations in the Chicago non-attainment area to install Stage II vapor recovery equipment be eliminated immediately upon the effective date of these rule amendments, rather than eliminating the requirement only for new stations that commence operating on or after January 1, 2014, as proposed by the Illinois Environmental Protection Agency (IEPA). PC2 at 1. IPMA likewise proposes that existing gasoline stations in the Chicago non-attainment area be allowed to decommission Stage II vapor recovery equipment immediately upon the effective date of the rules, instead of having to wait until January 1, 2014, as proposed by IEPA. *Id.* at 1-2.

IEPA is directed to file a public comment responsive to IPMA's public comment. IEPA must file its comment with the Clerk of the Board no later than July 31, 2013. To that extent only, the public comment period is re-opened. IEPA's comment may be filed through the Clerk's Office On-Line (COOL) on the Board's website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). The "mailbox rule" (35 Ill. Adm. Code 101.300(b)(2)) does not apply to IEPA's filing. Therefore, the Clerk must receive IEPA's public comment by 4:30 p.m. on Wednesday, July 31, 2013. The public comment must also be served on those persons on the R13-18 service list, which is available on COOL.

IT IS SO ORDERED.

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