

ILLINOIS POLLUTION CONTROL BOARD  
February 15, 2018

IN THE MATTER OF: )  
)  
AMENDMENTS TO 35 ILL. ADM. CODE ) R18-20  
225.233, MULTI-POLLUTANT ) (Rulemaking - Air)  
STANDARDS (MPS) )

**HEARING OFFICER ORDER**

This hearing officer order denies the request of the Eco-Justice Collaborative, Environmental Defense Fund, Environmental Law & Policy Center, Natural Resources Defense Council, Prairie Rivers Network, Respiratory Health Association, and the Sierra Club (Environmental Groups) to extend the hearings scheduled to take place on March 6th and 7th, in Edwardsville, until at least 7 p.m C.T. The Madison County Government Center is unavailable for evening hearings.

This is the third such request made by representatives of the Environmental Groups. After a prehearing conference call, where the Environmental Groups first requested an evening hearing, the Board attempted to secure buildings in Peoria and Edwardsville that would allow for evening hearings. Specifically, the Peoria Public Library informed the Board that it closed at 6 pm. Additionally, the Madison County Government Center informed the Board that it could not remain open beyond normal business hours. On November 8, 2017, the hearing officer set this matter for hearing.

On December 14, 2017, the hearing officer extended the hours of the Peoria first day of hearing until 7 p.m. after a November 22, 2017, Environmental Group filed an “affirmation” asking that the Board modify the hearing hours. That filing indicated that Ms. Dubin spoke with Alyce Jackson, Manager of Programs at the Peoria Public Library. The Environmental Groups stated that the library was willing to “accommodate the use of the library’s auditorium” until 9 p.m. Mot. at 2. After contacting the library for a second time, the Board was informed that, in fact, the library would stay open later in the evening.

Nowhere in the “affirmation” filed on November 22, 2017, do the Environmental Groups seek to extend the hours of the hearing in Edwardsville. In addition, at no time did the Environmental Groups raise this issue on the record at the January 17 and 18, 2018, hearings. Now a week after transcripts from the hearings on January 17 and 18, 2018, were filed, and four days before prefiled testimony is due, the Environmental Groups have filed a third request.

The Environmental Groups’ request is denied as the availability of the Madison County Government Center does not allow for extended business hours. Moreover, this request has already been addressed. The Board notes that the Board has received a substantial amount of written public comment in this proceeding; The Board affords written public comments the same weight as any oral public comment.

**Availability of Filings**

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). Participants may file electronically on the Board's web page. Prefiled testimony and prefiled questions must be served on the persons on the service list.

IT IS SO ORDERED.



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