

ILLINOIS POLLUTION CONTROL BOARD
October 16, 2020

IN THE MATTER OF:)
)
AMENDMENTS TO 35 ILL. ADM. CODE) R21-18
219, ORGANIC MATERIAL EMISSION) (Rulemaking – Air)
STANDARDS FOR THE METRO EAST)
AREA, AND 35 ILL. ADM. CODE 211,)
DEFINITIONS AND GENERAL)
PROVISIONS)

NOTICE OF HEARING

The Illinois Environmental Protection Agency (IEPA) reports that a source in the Metro East area intends to expand its aerospace facility so that it would become subject to general VOM emission limitations for miscellaneous metal parts and products coatings. However, IEPA states that guidance from the United States Environmental Protection Agency (USEPA) recognizes that general limitations are not appropriate for aerospace applications. IEPA proposes rules for certain facilities located in the Metro East area to ensure that limits specific to aerospace operations are in place for the expansion.

If adopted by the Board, IEPA will submit the proposed amendments to 35 Ill. Adm. Code Parts 211 and 219 to USEPA for review and approval as a revision to the Illinois' ozone State Implementation Plan (SIP). The revisions submitted to USEPA will include an analysis demonstrating that the proposal does not interfere with attainment or maintenance of any applicable National Ambient Air Quality Standard, reasonable further progress, or any other applicable requirement of the Clean Air Act (CAA). This notice is intended to satisfy the requirements of Section 110(l) of the CAA, 42 U.S.C. § 7410(l) (public notice for SIP revisions).

Due to the Coronavirus Disease (COVID-19) and Executive Orders in effect at the time of this notice, the Board will also conduct this hearing through WebEx, an additional platform to encourage public participation consistent with public safety. A participant who has questions about WebEx may contact the Hearing Officer, Tim Fox, at 312-814-6085 or tim.fox@illinois.gov. If a participant has connection issues at the time of hearing, they should contact Marie Tipsord at 312-814-4925.

DATES, TIMES, AND LOCATIONS:

FIRST HEARING: Thursday, December 10, 2020, beginning at 9:00 AM

Illinois State Police District 11
Classroom (on right from entrance in lobby area)
1100 Eastport Plaza Drive
Collinsville, Illinois

BY COMPUTER: Click this link:

<https://illinois.webex.com/illinois/j.php?MTID=m53a28aebe3b1114ae188977607ed9e07>

This takes you to the WebEx page for this hearing. Enter the requested information, and then click the "Join Now" button. You may see a prompt for a Meeting Number or Password, which are shown below.

BY PHONE: Call 312-535-8110 or 415-655-0002. When prompted, enter the Meeting Number below.

MEETING NUMBER: 133 169 9763
PASSWORD: RzriTRVa836

SECOND HEARING: Thursday, January 7, 2021, beginning at 9:00 AM
(The Board has scheduled a regular meeting at 11:00 AM on this date. If necessary, the Board intends to recess the hearing to conduct its meeting and then resume the hearing.)

BY VIDEOCONFERENCE BETWEEN

BOARD'S CHICAGO HEARING ROOM

Room 11-512

James R. Thompson Center

100 West Randolph Street

and

BOARD'S SPRINGFIELD HEARING ROOM

Room 1244N, First Floor

1021 North Grand Avenue East

North Entrance

BY COMPUTER: Click this link:

<https://illinois.webex.com/illinois/j.php?MTID=m111989c204987d20a4d15762e4f30076>

This takes you to the WebEx page for this hearing. Enter the requested information, and then click the "Join Now" button. You may see a prompt for a Meeting Number or Password, which are shown below.

BY PHONE: Call 31-535-8110 or 415-655-0002. When prompted, enter the Meeting Number below

MEETING NUMBER: 133 612 5630
PASSWORD: YiaQ3n7BHM7

PURPOSE OF HEARINGS: Merit and Economic

PRESIDING BOARD MEMBER: Cynthia M. Santos

HEARING OFFICER: Timothy Fox

HEARING OFFICER ORDER

Hearings and Pre-Filed Testimony

The Board will conduct two hearings to allow IEPA and any other interested participants to testify and comment on the merits and economic impact of the proposed rule. *See* 415 ILCS 5/28(a) (2018); 35 Ill. Adm. Code 102.412(a).

Unless the Board, hearing officer, Clerk, or procedural rules provide otherwise, all documents in this proceeding must be filed electronically through the Clerk's Office On-Line (COOL). 35 Ill. Adm. Code 101.302(h), 101.1000(c), 101.Subpart J.

Participants pre-filing testimony for either of the two hearings are directed to serve it on all persons on the Service List at the time of pre-filing. *See* 35 Ill. Adm. Code 102.424(c). Before filing any document with the Board's Clerk, please obtain the current version of the Service List through COOL on the Board's Web site (pcb.illinois.gov) or by calling the Clerk's Office at 312-814-3461. Documents may generally be served by e-mail if the recipient has consented to e-mail service and has not revoked the consent. 35 Ill. Adm. Code 101.1060. Participants in this rulemaking are encouraged to provide consent to e-mail service of documents. *See* 35 Ill. Adm. Code 101.1070(a).

All persons wishing to testify at either hearing will be sworn in and subject to questioning. 35 Ill. Adm. Code 102.428(a). At both hearings, all pre-filed testimony will be entered into the record as if read. *See* 35 Ill. Adm. Code 102.424(f). A brief introduction or summary of the pre-filed testimony will be allowed if a witness wishes to provide one before responding to questions.

For a videoconference hearing, any document to be offered as a hearing exhibit must be received by the Clerk's Office at least 24 hours before the scheduled start of the hearing. 35 Ill. Adm. Code 102.424(h). If not filed at least 24 hours before the scheduled start of the videoconference hearing, the document will not be admitted as an exhibit at the hearing but may be filed as a public comment after the hearing. *Id.*

Participants wishing to offer a public comment will be allowed to do so as time allows before the end of a hearing. Participants may also file post-hearing comments. *See* 35 Ill. Adm. Code 102.108(b).

First Hearing

Participants who intend to testify at the first hearing are directed to pre-file all their testimony and related exhibits no later than Thursday, November 19, 2020. *See* 35 Ill. Adm. Code 102.424(a). To expedite the first hearing, participants who have questions based on pre-filed testimony are urged to pre-file those questions no later than Thursday, December 3, 2020. *See* 35 Ill. Adm. Code 104.424(b).

Although Section 27 of the Act (415 ILCS 5/27 (2018)) does not set the order of the hearing, the hearing officer intends to begin the first hearing with witnesses who pre-filed testimony for it. *See* 35 Ill. Adm. Code 102.428(c). After those witnesses have testified, participants who do not pre-file testimony may testify as time allows after the Board completes the pre-filed testimony and questions based on it.

Second Hearing

Participants who intend to testify at the second hearing are directed to pre-file all their testimony and related exhibits no later than Wednesday, December 30, 2020. *See* 35 Ill. Adm. Code 102.424(a).

The hearing officer intends to begin the second hearing with any participants who pre-filed testimony for the first hearing but were not able to testify and respond to questions before the end of that hearing. Next, participants who pre-filed testimony for the second hearing will present that testimony and respond to questions. Participants who did not pre-file testimony for the second hearing will be allowed to testify and respond to questions as time permits. *See* 35 Ill. Adm. Code 104.424(g).

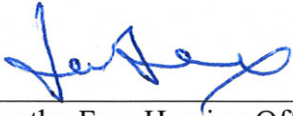
In a letter dated October 15, 2020, the Board requested that the Department of Commerce and Economic Opportunity (DCEO) conduct an economic impact study of the amended proposal and respond to the request by November 30, 2020. At the second hearing, the Board will receive testimony on any study conducted by DCEO or DCEO's decision not to conduct one. *See* 415 ILCS 5/27(b) (2018).

Service and Notice Lists

The Board has established and will maintain both a Notice List and Service List for this proceeding. *See* 35 Ill. Adm. Code 102.422(a), (b). The Notice List includes participants who wish to receive only the Board's opinions and orders and hearing officer orders. 35 Ill. Adm. Code 102.422(a). The Service List includes participants who expect to participate more actively and wish also to receive other filings such as pre-filed testimony. *See* 35 Ill. Adm. Code 102.422(b).

Please note that any interested person may request electronic notice of filings by providing an e-mail address through COOL under this docket number R21-18. This electronic notice includes notice of filing of documents that are not typically provided to persons on the Notice List. In addition, COOL provides links to documents filed with the Board, and those documents can be viewed, downloaded, and printed free of charge as soon as they are posted to the Board's web site.

IT IS SO ORDERED.



Timothy Fox, Hearing Officer
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