

ILLINOIS POLLUTION CONTROL BOARD  
FEBRUARY 21, 2001

IN THE MATTER OF: )  
)  
AMENDMENTS TO LIVESTOCK WASTE ) R01-28  
REGULATIONS ) (Rulemaking-Land)  
(35 ILL. ADM. CODE 506) )

NOTICE OF HEARINGS

DATES, TIMES, AND PLACES:

FIRST HEARING: MONDAY, APRIL 2, 2001

10:00 a.m.  
JAMES R. THOMPSON CENTER  
100 W. RANDOLPH STREET  
ROOM 9-040  
CHICAGO, ILLINOIS, 60601

SECOND HEARING: TUESDAY, APRIL 17, 2001

10:00 a.m.  
POLLUTION CONTROL BOARD HEARING ROOM  
600 S. SECOND STREET  
ROOM 403  
SPRINGFIELD, ILLINOIS, 62704

PURPOSE OF HEARINGS: Merit and Economic

ATTENDING BOARD MEMBERS: Claire A. Manning, Chairman  
G. Tanner Girard, Board Member  
Samuel T. Lawton, Board Member

HEARING OFFICER: Carol Sudman (217) 524-8509, sudmanc@ipcb.state.il.us

In compliance with the Americans With Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids should contact Dorothy Gunn, Clerk of the Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, at telephone number 312/814-3669, or TDD number 312/814-6032, five days prior to the hearing.

## HEARING OFFICER ORDER

### Summary of Rules

On January 22, 2001, the Illinois Department of Agriculture (Department) filed proposed rules concerning design and construction standards for livestock waste lagoons and non-lagoon livestock waste handling facilities. Additionally, the Department's proposal seeks to amend the Board's current livestock management rules by repealing Board rules which have been effectively superseded by rules promulgated by the Department. See 8 Ill. Adm. Code 900. On February 15, 2001, the Board issued a first-notice opinion and order on this proposal. In the Matter of: Amendments to Livestock Waste Regulations (February 15, 2001), R01-28.<sup>1</sup>

### Hearings

Two hearings are scheduled in R01-28 (see Notice of Hearings). The purpose of these hearings is to allow the Department and all other interested persons to present testimony on the proposed rules. The order of the hearings will be:

1. Opening statements;
2. Department's justification and explanation of the proposed rule;
3. Questions for the Department by Board and any interested persons;
4. Prefiled testimony by other interested persons; and
5. Testimony by persons who did not prefile.

**First Hearing.** The focus of the first hearing will be for the Board and all interested persons to hear the Department's justification and explanation of the proposed rules. The Department shall prefile its testimony with the Board on or before March 26, 2001, and shall serve the testimony on all persons on the service list, a copy of which is available from the hearing officer. As time allows, interested persons and the Board may ask questions of the Department. If further time allows, other interested persons may testify concerning the Department's proposed rules. Priority of testimony will be given to those who prefile testimony by March 26, and serve persons on the service list.

**Second Hearing.** The focus of the second hearing will be to address any outstanding issues from the first hearing and to hear from participants who wish to testify about or comment on the Department's proposed rules. Any persons wishing to testify concerning the Department's proposed rules should prefile their testimony with the Board on or before April 10, 2001, and shall serve all persons on the service list. Such persons should call the hearing officer for an updated service list prior to filing. Any person who wishes to testify concerning the Department's rules who has not prefiled such testimony will be allowed to do so only as time allows.

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<sup>1</sup> The Board previously issued a first-notice opinion and order on part of this proposal in docket R01-18 on December 21, 2000. As docket R01-28 incorporates the substance of the earlier docket, the Board closes R01-18 as unnecessary.

### Public Comment

The Board will accept written public comment until May 1, 2001. This deadline may be extended if necessary. All public comment and prefiled testimony will be posted on the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Persons on the service list who file public comment must also serve those comments to others on the service list.

### Notice and Service Lists

Although the Board is sending a copy of the R01-28 first-notice opinion and order to persons listed on the notice and service lists from previous dockets, we do not intend to use these lists for future distributions. Please note that all of the Board's opinions and orders, all hearing officer orders, and all public comment filed in docket R01-28 will be posted on the Board's Web site. Persons who wish to receive paper copies should complete the sign-up form attached to this order.

Persons on the notice list will receive paper copies of the Board's opinions and orders and hearing officer orders in this proceeding. Persons on the service list will receive not only paper copies of Board opinions and orders and hearing officer orders, but also paper copies of all public comment filed

IT IS SO ORDERED.

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Carol Sudman  
Hearing Officer  
Illinois Pollution Control Board  
600 S. Second St., Suite 402  
Springfield, IL 62704  
(217) 524-8509  
[sudmanc@ipcb.state.il.us](mailto:sudmanc@ipcb.state.il.us)

R01-28 SIGN UP FORM FOR NOTICE AND SERVICE LISTS

To ensure that all interested persons appear on the proper list, the Board asks that you return the form below and indicate whether you wish to be placed on the "Notice List" or the "Service List." All Board opinions and orders, hearing officer orders, and public comments in this proceeding will be posted on the Board's Web site. It is not necessary to join the notice or service list unless you wish to receive paper copies.

Notice List

Persons on the notice list receive paper copies of the Board's opinions and orders and hearing officer orders in this proceeding.

Service List

Persons on the service list receive not only paper copies of Board opinions and orders and hearing officer orders, but also all public comment filed by persons on the service list.

This form should be returned to the address or fax number listed below:

Carol Sudman, Hearing Officer  
Illinois Pollution Control Board                      FAX: (217) 524-8508  
600 South Second Street, Suite 402  
Springfield, IL 62704  
sudmanc@ipcb.state.il.us

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I wish to be placed on the Board's R01-28 Livestock Waste Regulations:

\_\_\_\_\_ Notice List                      \_\_\_\_\_ Service List

Name: \_\_\_\_\_

Business: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E:mail: \_\_\_\_\_