

ORIGINAL

RECEIVED
CLERK'S OFFICE

APR 20 2005

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

April 20, 2005

IN THE MATTER OF:)
)
 PROPOSED AMENDMENTS TO:) R04-22
 REGULATION OF PETROLEUM LEAKING) (UST Rulemaking)
 UNDERGROUND STORAGE TANKS (35)
 ILL. ADM. CODE 732))

IN THE MATTER OF:)
)
 PROPOSED AMENDMENTS TO:) R04-23
 REGULATION OF PETROLEUM LEAKING) (UST Rulemaking)
 UNDERGROUND STORAGE TANKS (35) (Consolidated)
 ILL. ADM. CODE 734))

HEARING OFFICER ORDER

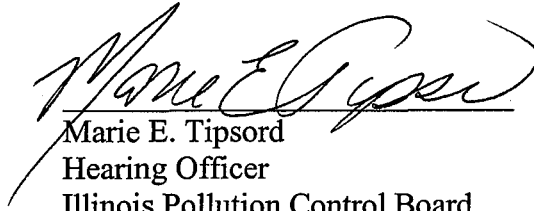
On February 17, 2005, the Board proceeded to first notice with a proposal in this rulemaking. In the first-notice opinion, the Board asked for comment on several issues and indicated that additional hearings may be held if requested. The Board asked that any request for a hearing delineate the issues the requester believed should be addressed at the hearing. The Board received several individual requests for hearings as well as a request from Professionals of Illinois for the Protection of the Environment (PIPE). The Illinois Environmental Agency (Agency) however indicated its belief that additional hearings are not warranted.

The individuals asked for an additional hearing and asked that the hearing be held in southern Illinois. PIPE asked for an additional hearing and asked that PIPE be allowed to prefile questions for the Agency. Based on the requests, I find that additional hearings are warranted and an additional hearing will be held in this matter. Further, the hearing will take place in Carbondale, Marion, or Mt. Vernon. However, before the hearing is scheduled, I will allow for the prefiling of questions to the parties and the prefiling of answers. Any objections to questions posed can be fully set out in the prefiled answers. In addition the parties should indicate dates in June and July when the parties are *unavailable* for hearings.

Prefiled question should be filed by May 4, 2005, and the mailbox rule does not apply. Prefiled answers should be filed by May 18, 2005, and the mailbox rule does not apply.

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.

IT IS SO ORDERED.

A handwritten signature in cursive script, appearing to read "Marie E. Tipsord", is written over a horizontal line.

Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-4925