

ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD

February 9, 2006

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF:	)	
	)	
PROPOSED AMENDMENTS TO TIERED	)	R06-10
APPROACH TO CORRECTIVE ACTION	)	(Rulemaking – Land)
OBJECTIVES (35 ILL. ADM. CODE 742)	)	

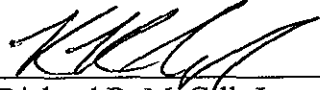
**HEARING OFFICER ORDER**

On September 30, 2005, the Board received a rulemaking proposal from the Illinois Environmental Protection Agency (Agency) to amend the Tiered Approach to Corrective Action Objectives (TACO). The TACO rules are at 35 Ill. Adm. Code 742. On October 20, 2005, the Board accepted the Agency's proposal for hearing. The first hearing in this rulemaking was held on January 31, 2006, in Chicago. As previously noticed, the second hearing is scheduled for March 1, 2006, in Springfield.

At the first hearing, the hearing officer established a February 22, 2006 deadline to prefile testimony for the second hearing. Accordingly, any person who wishes to testify at the second hearing must prefile his or her testimony and any related exhibits with the Clerk of the Board no later than February 22, 2006. See 35 Ill. Adm. Code 102.424. As the hearing officer specified, the "mailbox rule" (35 Ill. Adm. Code 101.300(b)(2)) does not apply to this filing—therefore, the Clerk must receive the prefiled testimony by February 22, 2006. Those who prefile must be prepared to provide oral summaries of their prefiled testimony at the second hearing. Others who did not prefile may testify at the second hearing only as time permits and at the discretion of the hearing officer.

Prefiled testimony may be filed through the Clerk's Office On-Line (COOL) on the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629. Prefiled testimony filed with the Clerk must also be served on the hearing officer and on those persons on the Service List. The Service List for this rulemaking docket, R06-10, is available on COOL. Before filing with the Clerk, however, please check with Sandy Wiley at (312) 814-3623 or [wileys@ipcb.state.il.us](mailto:wileys@ipcb.state.il.us) or the hearing officer to ensure that you have the most recent version of the Service List.

IT IS SO ORDERED.

  
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 Richard R. McGill, Jr.  
 Hearing Officer  
 Illinois Pollution Control Board  
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