

ORIGINAL

ILLINOIS POLLUTION CONTROL BOARD

June 22, 2007

RECEIVED  
CLERK'S OFFICE

JUN 22 2007

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF:	)	
	)	
FAST-TRACK RULES UNDER NITROGEN	)	R07-18
OXIDE (NO <sub>x</sub> ) SIP CALL PHASE II:	)	(Rulemaking - Air)
AMENDMENTS TO 35 ILL. ADM. CODE	)	
SECTION 201.146 and PARTS 211 and 217	)	

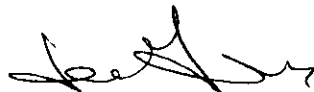
**HEARING OFFICER ORDER**

Section 28.5(g)(3) of the Environmental Protection Act (Act), regarding hearings in “fast-track” rulemaking proceedings, provides that “[t]he third hearing shall be cancelled if the Agency indicates to the Board that it does not intend to introduce any additional material.” 415 ILCS 5/28.5(g)(3) (2006). The second hearing in this docket took place on Tuesday, June 19, 2007, in Chicago. The transcript of the second hearing (Tr.2) shows that the Illinois Environmental Protection Agency does not intend to introduce any additional material in this proceeding and would not object to cancellation of the third hearing. Tr.2 at 45. Accordingly, the third hearing scheduled to take place on July 2, 2007, is cancelled.

Section 28.5(l) of the Act provides that, “[f]ollowing the hearings, the Board shall close the record 14 days after the availability of the transcript.” 415 ILCS 5/28.5(l) (2006). With the cancellation of the third hearing, the hearings in this proceeding concluded on Tuesday, June 19, 2007. On Thursday, June 21, 2007, the Board received the transcript of the second and final hearing. Accordingly, the statutory 14-day comment period begins Thursday, June 21, 2007, and will close Thursday, July 5, 2007.

The “mailbox rule” (35 Ill. Adm. Code 101.300(b)(2)) does not apply to the filing of post-hearing comments, and the Clerk must receive these documents before the close of business on Thursday, July 5, 2007. However, documents may be filed electronically through the Clerk’s Office On-Line (COOL) from 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.

IT IS SO ORDERED.




---

Timothy J. Fox  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-6085  
[foxt@ipcb.state.il.us](mailto:foxt@ipcb.state.il.us)