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MAR 24 2009

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
March 24, 2009

IN THE MATTER OF:)
)
NITROGEN OXIDES EMISSIONS FROM) R08-19
VARIOUS SOURCE CATEGORIES:) (Rulemaking - Air)
AMENDMENTS TO 35 ILL. ADM. CODE)
PARTS 211 AND 217)

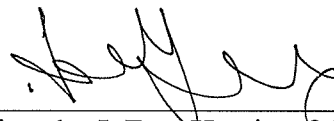
HEARING OFFICER ORDER

On March 20, 2009, the Illinois Environmental Protection Agency (Agency) filed a "Motion for Expedited Review" (Mot.). Generally, the Agency argues that the Board must adopt the proposed regulations by September 24, 2009, in order to avoid the imposition of various federal sanctions. *See* Mot. at 5-6.

Also on March 20, 2009, the Board received a response to the Agency's motion from Midwest Generation, LLC.

In order to avoid undue delay, the Board intends to address the Agency's motion at its next regularly-scheduled meeting on Thursday, April, 2, 2009. Any participant wishing to respond to the Agency's motion is directed to do so on or before Monday, March 30, 2009. The "mailbox rule" at 35 Ill. Adm. Code 101.300(b)(2) does not apply to this filing. The Board's Clerk must receive these responses before the close of business on Monday, March 30, 2009. Although 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, all electronic or approved fax filings must be received by the Clerk's Office no later than 4:30 PM on the due date. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

IT IS SO ORDERED.



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