

ILLINOIS POLLUTION CONTROL BOARD
May 21, 2014

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
COAL COMBUSTION WASTE (CCW) AND) R14-10
SURFACE IMPOUNDMENTS AT POWER) (Rulemaking - Water)
GENERATING STATIONS: PROPOSED)
NEW 35 ILL. ADM. CODE PART 841)

NOTICE OF HEARING

 ORIGINAL

DATE, TIME, AND LOCATION:

BEGINNING WEDNESDAY, JUNE 18, 2014

11:00 AM
James R. Thompson Center
Room 9-039
100 W. Randolph St.
Chicago, Illinois

AND, IF BUSINESS REMAINS AT THE END OF HEARING ON THAT DAY,
CONTINUING THURSDAY, JUNE 19, 2014, BEGINNING AT 9:00 AM IN
THOMPSON CENTER ROOM 9-040.

PURPOSE OF HEARING: Merit and Economic
ATTENDING BOARD MEMBER: Jerome D. O'Leary
HEARING OFFICER: Timothy J. Fox

HEARING OFFICER ORDER

The first hearing in this proceeding took place on February 26 and 27, 2014, in Springfield, and the second hearing took place on May 14 and 15, 2014, in Chicago. At the conclusion of the second hearing, the participants had not addressed each of the questions pre-filed by the Illinois Environmental Protection Agency (Agency) for the Environmental Groups' witnesses or the Board's questions based on the Agency's March 25, 2014 comments. In addition, participants wished to question the Environmental Groups on their changes to the Agency's proposed rules. Accordingly, the Board schedules an additional hearing as indicated in the notice above.

The hearing officer intends to begin the hearing by continuing to address the Agency's pre-filed questions for the Environmental Groups. After addressing those pre-filed questions, the hearing officer intends to address the Board's questions based on the Agency's March 25, 2014 comments. The Agency prepared written answers to those questions, which were admitted into the record as Hearing Exhibit 32. Next, the hearing officer intends to address participants'

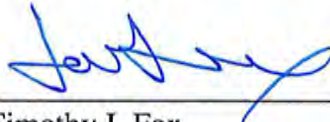
questions to the Environmental Groups based upon their May 13, 2014 changes to the Agency's proposed rules.

To expedite the hearing and make it more efficient, participants who wish to ask questions about the Environmental Groups' proposed changes are strongly encourage to pre-file those questions no later than Wednesday, June 11, 2014. Pre-filed questions must be served on all persons on the Service List at the time of pre-filing. *See* 35 Ill. Adm. Code 102.424(c). Before filing pre-filed testimony or any other document with the Clerk, please obtain the most recent version of the Service List through the Clerk's Office On-Line (COOL) from the Board's Web site (www.ipcb.state.il.us) or by contacting the Clerk's Office at 312-814-3629.

The "mailbox rule" (*see* 35 Ill. Adm. Code 101.300(b)(2)) does not apply to the filing of these pre-filed questions, and the Board's Clerk must receive these documents before the close of business on Wednesday, June 11, 2014. However, documents may be filed electronically though the Clerk's Office On-Line (COOL). *See* 35 Ill. Adm. Code 101.302(d) (prior approval of electronic filing). Any questions about electronic filing should be directed to the Clerk's Office at (312) 814-3629.

The Board expects the transcript of the hearing conducted Wednesday, May 14, 2014, to be available no later than Tuesday, May 27, 2014, and the transcript of the hearing conducted Thursday, May 15, 2014, to be available no later than Wednesday, May 28, 2014. As it receives those transcripts, the Board will post them to COOL under docket number R14-10.

IT IS SO ORDERED.



Timothy J. Fox
Hearing Officer
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