

ILLINOIS POLLUTION CONTROL BOARD
April 29, 1982

IN THE MATTER OF:)
) R80-5
RACT II RULES)
CHAPTER 2: AIR POLLUTION)

ORDER OF THE BOARD (by I. Goodman):

On April 14, 1982, the Illinois State Chamber of Commerce filed a motion requesting an opportunity to present oral arguments before the Board prior to the adoption of the proposed rule. Due to the fact that this is a regulatory proceeding, "oral argument," a term which generally connotes the existence of adversarial parties, is an inappropriate format for the presentation of additional comment. Oral comment on a regulation may properly be presented in a public hearing where all interested persons have an opportunity to comment. Therefore, the Board interprets this as a motion for an additional hearing in this proceeding.

This motion is premature in that it is made in reaction to preliminary discussions at the Board meeting. The Board has not yet proposed a rule for public comment, therefore, additional arguments at this point would have to be based on speculation as to the Board's proposal. Therefore, the Board will deny the motion at this time, but gives the movant leave to re-submit an appropriate motion during the First Notice period.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 29th day of April, 1982 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board