

ILLINOIS POLLUTION CONTROL BOARD

October 4, 2006

IN THE MATTER OF:)
)
PROPOSAL OF VAUGHAN & BUSHNELL) R06-11
MANUFACTURING COMPANY OF) (Rulemaking – Noise)
AMENDMENT TO A SITE-SPECIFIC RULE)
35 ILL. ADM. CODE 901.121)

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OCT 04 2006

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF HEARING

DATE, TIME, AND PLACE:

OCTOBER 31, 2006
10:00 A.M.
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY OFFICE BUILDING
ILLINOIS POLLUTION CONTROL BOARD HEARING ROOM
1021 NORTH GRAND AVENUE EAST, NORTH ENTRANCE
SPRINGFIELD, ILLINOIS

PURPOSE OF HEARING: Merit and Economic
ATTENDING BOARD MEMBER: Thomas E. Johnson
HEARING OFFICER: John Knittle

HEARING OFFICER ORDER

Background

On October 20, 2005, the Board received a rulemaking proposal submitted by Vaughan & Bushnell Manufacturing Company (V&B) that seeks a site-specific rule amending a previously promulgated site-specific noise rule that would extend the allowable operational levels of its forging facility located at the intersection of Davis and Main Streets, Bushnell in McDonough County. The Board accepted the proposal for hearing on December 1, 2005.

On March 7, 2006, a hearing was held in this matter at City Hall, 138 Hail Street, Bushnell, McDonough County. Mr. Jeremy M. Pelphrey appeared and participated on behalf of the petitioner. Mr. Mark V. Gurnik appeared and participated on behalf of the Illinois Environmental Protection Agency (Agency). At the hearing, it was noted that an additional hearing addressing the Board's January 24, 2006 request that the Department of Commerce and

In compliance with the Americans with Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact Dorothy Gunn, Clerk of the Board, at 100 West Randolph St., Suite U-500, Chicago, Illinois 60601, at telephone number 312/814-6931, fax number 312/814-3669, or TDD number 312/814-6932, five days prior to the hearing.

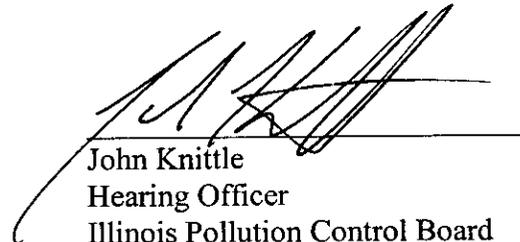
Economic Opportunity (DCEO) conduct an economic impact study for the rulemaking would be scheduled and held according to Board regulation.

Hearing

This hearing will be held solely to fulfill the requirements of Section 27(b) of the Environmental Protection Act (Act), (415 ILCS 5/27(b) (2004)). Section 27(b) of the Act requires the Board to request DCEO (formerly Department of Commerce and Community Affairs) to conduct an economic impact study (EcIS) on certain proposed rules prior to adoption of those rules. If DCEO chooses to conduct the EcIS, they have 30 to 45 days after such request to produce a study of the economic impact of the proposed rules. The Board must then make the EcIS, or DCEO's explanation for not conducting the study, available to the public at least 20 days before a public hearing on the economic impact of the proposed rules.

On January 24, 2006, the Board requested that DCEO conduct an economic impact study for the above-referenced rulemakings. In a letter dated April 17, 2003, DCEO stated that it does not have the financial resources to perform such analyses or to contract a private vendor for their completion. DCEO offered the April 17, 2003 letter as its formal response to all current and future proposed Board rulemakings and DCEO's statutory obligation to perform an EcIS. Both letters are available for review at the Board's Chicago Office, James R. Thompson Center, 100 West Randolph, Suite 11-500, Chicago, Illinois.

IT IS SO ORDERED.



John Knittle
Hearing Officer
Illinois Pollution Control Board
2125 South First Street
Champaign, Illinois 61820
(217) 278-3111

SERVICE LIST

R06-11

Mark Gurnik
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Matthew J. Dunn
Division Chief of Environmental
Enforcement
Office of the Attorney General
100 West Randolph Street, 12th Floor
Chicago, Illinois 60601

Jeremy M. Pelphrey
Davis & Campbell, L.L.C.
401 Main Street,
Suite 1600
Peoria, Illinois 61602

William Richardson
Chief Legal Counsel
Illinois Department of Natural Resources
One Natural Resource Way
Springfield, Illinois 62702

Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St.,
Suite. 11-500
Chicago, Illinois 60601