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APPEARANCES

Board Members present:  
Board Member Andrea S. Moore

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INDEX

2 (No witnesses sworn.)

3 (No exhibits marked.)

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PROCEEDINGS

(August 9, 2007; 1:06 p.m.)

HEARING OFFICER WEBB: Good afternoon. My name is Carol Webb, and I'm filling in today for Tim Fox, the hearing officer for this rulemaking entitled "Proposed Amendments to the Board's Procedural Rules and Underground Storage Tank Regulations to Reflect Public Act 94-0274, Public Act 94-0276 and Public Act 94-0824," parentheses, "35 Illinois Administrative Code 101.202, 732.103, 732.702, 734.115 and 734.710," closed parentheses.

The board docket number for this rulemaking is R07-17. The Board initiated this rulemaking proposal on April 19, 2007, by adopting an opinion and order sending these proposed amendments to the first-notice publication in the Illinois Register, where they appeared on May 4, 2007. Also present today from the board is Board Member Andrea Moore, who is the lead board member for this rulemaking. Member Moore, do you have any remarks you would like to make at this time?

BOARD MEMBER MOORE: No, thank you. I think we can just proceed.

HEARING OFFICER WEBB: Okay. Today we are holding the second hearing. The first hearing took place

1 Wednesday, May 16, in Chicago, and no more hearings are  
2 scheduled to be held in this rulemaking. This proceeding  
3 is governed by the Board's procedural rules. All  
4 information that is relevant and not repetitious or  
5 privileged will be admitted into the record. Please note  
6 that any questions that may be posed by the Board or  
7 staff are intended solely to develop a clear and complete  
8 record for the Board's decision and do not reflect any  
9 prejudgment of the proposal.

10 The Board has not received any prefiled testimony  
11 in this proceeding. The Board has received one comment,  
12 which was filed by the IEPA on May 14, 2007. I will now  
13 ask if anyone present wishes to testify or offer public  
14 comment on this rule. Seeing none, I will move on to the  
15 economic impact analysis.

16 Since 1998, Section 27(b) of the Environmental  
17 Protection Act has required that the Board request that  
18 the department now known as the Department of Commerce  
19 and Economic Opportunity conduct an economic impact study  
20 on proposed rules before the Board adopts the rules. The  
21 Board must make the economic impact study or the  
22 department's explanation for not conducting one available  
23 to the public at least 20 days before a public hearing.

24 In a letter dated May 2, 2007, the Board

1 requested that the department conduct an economic impact  
2 study on this rulemaking proposal. The Board has not  
3 received a response. Is there anyone who would like to  
4 testify regarding the request from the Board to the DCEO?  
5 Seeing none, I will address a few procedural issues  
6 before we adjourn.

7 The transcript of today's hearing will be  
8 available by August 21, 2007, and will be posted on the  
9 Board's Web site. In addition, anyone may file written  
10 public comments with the Board's clerk by mail or  
11 electronically. Any questions about electronic filing  
12 should be directed to the clerk's office. Filings with  
13 the Board, whether paper or electronic, must also be  
14 served on the hearing officer and on those persons on the  
15 service list. Before filing with the clerk, please check  
16 with the hearing officer to ensure that you have the most  
17 recent version of the service list. The public comment  
18 deadline will be set by hearing officer order when the  
19 transcript is received.

20 If anyone has any questions about this  
21 rulemaking, please contact the assigned hearing officer,  
22 Tim Fox, at 312-814-6085 or at foxt@ipcb.state.il.us. As  
23 I mentioned, no more hearings are scheduled to be held in  
24 this rulemaking. Are there any other matters to address

1 at this time, Member Moore?

2 BOARD MEMBER MOORE: None that I know of.

3 HEARING OFFICER WEBB: Okay. I would like  
4 to thank everyone for participating today. This hearing  
5 is adjourned.

6 (Hearing adjourned.)

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Keefe Reporting Company

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2 COUNTY OF BOND )

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4 I, KAREN WAUGH, a Notary Public and Certified  
5 Shorthand Reporter in and for the County of Bond, State  
6 of Illinois, DO HEREBY CERTIFY that I was present at the  
7 Illinois Pollution Control Board, Springfield, Illinois,  
8 on August 9, 2007, and did record the aforesaid Hearing;  
9 that same was taken down in shorthand by me and  
10 afterwards transcribed, and that the above and foregoing  
11 is a true and correct transcript of said Hearing.

12 IN WITNESS WHEREOF I have hereunto set my hand  
13 and affixed my Notarial Seal this 11th day of August,  
14 2007.

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Notary Public--CSR

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