

ILLINOIS POLLUTION CONTROL BOARD

April 18, 2011

IN THE MATTER OF: )  
 )  
AMENDMENTS TO 35 ILL. ADM. CODE ) R11-24  
217, NITROGEN OXIDES EMISSIONS ) (Rulemaking - Air)

RECEIVED  
CLERK'S OFFICE  
APR 18 2011  
STATE OF ILLINOIS  
Pollution Control Board

**NOTICE OF HEARING**

DATES, TIMES AND PLACES:

June 2, 2011

1:00 p.m.  
James R. Thompson Center, Room 9-040  
100 West Randolph Street  
Chicago, Illinois 60601

ORIGINAL

June 28, 2011

1:00 p.m.  
Madison County Administration Building  
County Board Room # 203  
157 N. Main St.  
Edwardsville, Illinois 62025

PURPOSE OF HEARINGS: Merit and Economic  
ATTENDING BOARD MEMBERS: Gary L. Blankenship  
HEARING OFFICER: Daniel L. Robertson

**HEARING OFFICER ORDER**

On April 7, 2011, the Board accepted for hearing a proposal for statewide general rulemaking filed on April 4, 2011, by the Illinois Environmental Protection Agency (Agency). The rulemaking was filed pursuant to Sections 27 and 28 of the Environmental Protection Act (Act) (415 ILCS 5/27 and 28) and Section 102.202 of the Board's procedural rules (35 Ill. Adm. Code 102.202).

The Agency states that the proposal would modify the date for compliance with the requirements of various Subparts of 35 Ill. Adm. Code Part 217, Nitrogen Oxides (NO<sub>x</sub>) Emissions, which contain provisions relating to the control of NO<sub>x</sub> emissions from various source categories, including emission units within these source categories such as industrial boilers, process heaters, glass melting furnaces, cement kilns, lime kilns, furnaces used in steel

making and aluminum melting, and fossil fuel-fired stations. Included in the proposal are amendments to 35 Ill. Adm. Code Part 217, Subparts D, E, F, G, H, I, M and Appendix H.

### **Pre-filing Deadlines**

Participants who intend to testify at hearing are urged to pre-file their testimony. Testimony for the June 2, 2011 hearing must be pre-filed by May 19, 2011. Testimony for the June 28, 2011 hearing must be pre-filed by June 20, 2011. All filings must be served on the persons on the service list.

The “mailbox rule” at 35 Ill. Adm. Code 101.300(b)(2) does not apply to the filing of any of this pre-filed testimony and the Board’s Clerk must receive these documents before the close of business on these deadlines. Documents may be filed electronically through the Clerk’s Office On-Line (COOL) from the Board’s web page at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). 35 Ill. Adm. Code 101.302(d). Any questions about electronic filing through COOL should be directed to the Clerk’s Office at (312) 814-3629.

### **Service and Notice Lists**

The hearing officer will establish and maintain both a Notice List and a Service List for this proceeding. *See* 35 Ill. Adm. Code 102.422(a), (b). The Notice List includes participants who wish to receive copies only of the Board’s opinions and orders and hearing officer orders. 35 Ill. Adm. Code 102.422(a). The Service List for this rulemaking is the list of persons who wish to participate actively in this proceeding and receive not only the Board’s opinions and orders but also other filings such as pre-filed testimony. *See* 35 Ill. Adm. Code 102.422(b).

The Board begins this rulemaking proceeding by including in the Service List and Notice List a number of persons and entities that have appeared on the corresponding lists in the underlying rulemaking, R08-19, In the Matter of: Nitrogen Oxides Emissions from Various Source Categories, Amendments to 35 Ill. Adm. Code Parts 211 and 217. While the Board will mail a copy of this hearing officer order to each of them, the Board will maintain on the Notice List or Service List only those entities requesting to be maintained on it. The Board requests that any entity wishing to remain on either the Notice List or Service List provide the information requested in the form attached to this order as Attachment A and return the form to the Board by Friday, May 6, 2011.

Note that interested persons may now request electronic notice of filings by providing their e-mail address through COOL under this docket number R11-24. This electronic notice includes notice of the filing of documents that are not typically provided to persons on the Notice List. In addition, COOL provides links to documents filed with the Board, and those documents can be viewed, downloaded, and printed free of charge as soon as they are posted to the Board’s Web site. For more information about the option of electronic notice or COOL, please consult either the Board’s Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) or John Therriault, the Board’s Assistant Clerk, at (312) 814-3629.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Daniel L. Robertson', with a long horizontal flourish extending to the right.

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Daniel L. Robertson  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-6931  
robertsd@ipcb.state.il.us

**ATTACHMENT A**

To Hearing Officer Order of April 18, 2011

In the Matter of: Amendments to 35 Ill. Adm. Code 217, Nitrogen Oxides Emissions (R11-24)

I wish to be added to the (please check one)

\_\_\_\_\_ Service List

\_\_\_\_\_ Notice List

in the Illinois Pollution Control Board rulemaking proceeding identified above:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Organization or Company

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

**PLEASE SUPPLY THIS INFORMATION BY FRIDAY, MAY 6, 2011, TO:**

Lynn Patras, Illinois Pollution Control Board

E-mail:

patrasl@ipcb.state.il.us

Fax:

312-814-3669

Mail:

100 W. Randolph St., Suite 11-500  
James R. Thompson Center  
Chicago, Illinois 60601