

ILLINOIS POLLUTION CONTROL BOARD

July 11, 2022

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R22-18
GROUNDWATER QUALITY) (Rulemaking – Public Water Supplies)
35 ILL. ADM. CODE 620)

NOTICE OF HEARING

DATES, TIMES, AND LOCATIONS:

THIRD HEARING

FIRST DAY: November 1, 2022
From 11 a.m. to 4:30 p.m.

BY VIDEOCONFERENCE BETWEEN

Will County Office Building
2nd Floor Board Room
302 N. Chicago Street
JOLIET

Pollution Control Board Hearing Room
1021 N. Grand Avenue E.
SPRINGFIELD

SECOND DAY: November 2, 2022
From 9 a.m. to 4:30 p.m.

BY VIDEOCONFERENCE BETWEEN

Will County Office Building
Executive Committee Room
302 N. Chicago Street
JOLIET

Pollution Control Board Hearing Room
1021 N. Grand Avenue E.
SPRINGFIELD

THIRD DAY: November 16, 2022
From 9 a.m. to 4:30 p.m.

BY VIDEOCONFERENCE BETWEEN

Will County Office Building
2nd Floor Board Room
302 N. Chicago Street
JOLIET

Pollution Control Board Hearing Room
1021 N. Grand Avenue E.
SPRINGFIELD

PURPOSE OF HEARINGS: Merit and Economic

ATTENDING BOARD MEMBERS: Barbara Flynn Currie
Michelle Gibson

HEARING OFFICER: Vanessa Horton

HEARING OFFICER ORDER

On June 24, 2022, a prehearing teleconference was held to discuss the hearing dates and location for the third hearing in this matter. The prehearing teleconference also discussed the pre-filing dates for testimony, questions, and answers in this matter.

The Board's procedural rules provide that "[a]ny Board hearing may be held by videoconference." The rules list factors that hearing officers consider when determining whether to hold a hearing by videoconference. 35 Ill. Adm. Code 101.600(b). The Board expects that its videoconference facilities will accommodate attendance and participation at these hearings. Additionally, videoconference hearings would reduce the time and cost of travel for the Board and hearing participants. Having considered these factors, the Board concludes to conduct both of the required hearings by videoconference between Joliet and Springfield. 35 Ill. Adm. Code 101.600(b).

Third Hearing

The focus of the third hearing will be testimony from other interested parties. The attorney representing the PFAS Regulatory Coalition informed the hearing officer during the prehearing teleconference that he was unavailable on November 1, 2, and 3, 2022. As such, the first two dates, November 1, and 2, 2022, will be used to hear testimony from the other participants and November 16, 2022, will be used to hear testimony from the PFAS Regulatory Coalition and any remaining participant witnesses.

Participants wishing to offer oral public comment will be allowed to do so as time allows before the end of the hearing. Participants may also file post-hearing comments electronically. *See* 35 Ill. Adm. Code 102.108(b).

Pre-filed Testimony

Participants pre-filing testimony for the third hearing are directed to serve it on all persons on the Service List at the time of pre-filing. *See* 35 Ill. Adm. Code 102.424(c). Before filing any document with the Board's Clerk, please obtain the current version of the Service List through the Clerk's Office On-Line (COOL) on the Board's website (<https://pcb.illinois.gov>) or by calling the Clerk's Office at (312) 814-3461. Documents may generally be served by e-mail if the recipient has consented to e-mail service and has not revoked consent. 35 Ill. Adm. Code 101.1060. Participants in this rulemaking are encouraged to provide consent to e-mail service of documents. *See* 35 Ill. Adm. Code 101.1070(a).

Pre-filed testimony of participants is due August 5, 2022. Pre-filed questions based on the testimony are due September 16, 2022. Pre-filed answers to questions are due October 14, 2022.

All persons wishing to testify at the hearing will be sworn in and subject to questioning. 35 Ill. Adm. Code 102.428(a). At the hearing, all pre-filed testimony will be entered into the

record as if read. *See* 35 Ill. Adm. Code 102.424(f). A brief introduction or summary of the pre-filed testimony will be allowed if a witness wishes to provide one before responding to questions.

For these videoconference hearings, the Board's rules require that any document to be offered as a hearing exhibit must be received by the Clerk's Office at least 24 hours before the scheduled start of the hearing. 35 Ill. Adm. Code 102.424(h). If not filed at least 24 hours before the scheduled start of the videoconference hearing, the document will not be admitted as an exhibit at the hearing but may be filed as a public comment after the hearing. *Id.*

Unless the Board, hearing officer, Clerk, or procedural rules provide otherwise, all documents in this proceeding must be filed electronically through COOL. 35 Ill. Adm. Code 101.302(h), 101.1000(c), 101.Subpart J.

Prehearing Teleconference

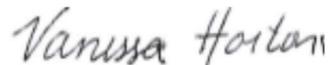
A prehearing teleconference will be set for 10 a.m. September 19, 2022. A hearing officer order with the notice of the teleconference will be issued on July 12, 2022. The purpose of the prehearing teleconference will be to set the order of witness testimony at the third hearing.

Service and Notice Lists

The Board has established and will maintain both a Notice List and a Service List for this proceeding. The Notice List includes participants who wish to receive only the Board's opinion and orders and hearing officer orders. 35 Ill. Adm. Code 102.422(a). The Service List includes participants who expect to participate more actively and wish to also receive other filings such as pre-filed testimony. *See* 35 Ill. Adm. Code 102.422(b).

Note that any interested person may request electronic notice of filings by providing an e-mail address through COOL under this docket number R22-18. This electronic notice includes notice of filing 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 website.

IT IS SO ORDERED.



Vanessa Horton
Hearing Officer
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