

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
)  
) R2024-017  
)  
) PROPOSED CLEAN CAR AND TRUCK STANDARDS )  
) (Rulemaking – Air)

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**NOTICE OF FILING**

TO:

Don Brown Clerk of the Board Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 <a href="mailto:don.brown@illinois.gov">don.brown@illinois.gov</a>	Vanessa Horton & Carlie Leoni Hearing Officers Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 <a href="mailto:Vanessa.Horton@Illinois.gov">Vanessa.Horton@Illinois.gov</a> <a href="mailto:Carlie.Leoni@Illinois.Gov">Carlie.Leoni@Illinois.Gov</a>
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Lawrence Doll Illinois Automobile Dealers Association 300 W. Edwards, Suite 400 Springfield, Illinois 62704 <a href="mailto:ldoll@illinoisdealers.com">ldoll@illinoisdealers.com</a>	

Please take notice that I have today filed with the Illinois Pollution Control Board the following documents: Rule Proponents' Unopposed Motion to Request Remote Testimony for Witness Juliana Pino; and Certificate of Service, a copy of which is served upon you.

Date: November 20, 2024

Respectfully submitted,



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*Counsel for Sierra Club, Natural Resources Defense Council, Environmental Defense Fund, and  
Center for Neighborhood Technology*

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**RULE PROPONENTS' UNOPPOSED MOTION**  
**TO REQUEST REMOTE TESTIMONY FOR WITNESS JULIANA PINO**

Pursuant to the Hearing Officer Order entered on November 13, 2024, and section 101.600(b) of the Board's procedural rules, Rule Proponents hereby request that witness Juliana Pino be permitted to testify remotely at the hearing scheduled in this matter on December 2, 2024.

At the prehearing conference in this matter on November 13, 2024, Rule Proponents' counsel made this request orally and asked all other parties to indicate if they objected; no other party indicated that they objected to this request. Additionally, Rule Proponents proposed a schedule for witness testimony at the hearing specifically to allow Ms. Pino's testimony to be presented first, such that any audio-visual preparations can be made before the hearing begins and thereby avoid technical disruptions or delays.

Board procedural rule section 101.600(b) allows that upon "the motion of any party, the Board or the hearing officer may order that a hearing be held by videoconference." 35 Ill. Adm. Code 101.600(b). The hearing officer is to consider several factors in ruling on such motion. The most relevant factors here, "witness availability" and "the parties' preferences," strongly support granting this request. *Id.* The other factors listed in the rule do not weigh against it.

Ms. Pino has a family member who is immunocompromised and she thus seeks to avoid any potential health risks by appearing in person. Ms. Pino must avoid becoming ill, herself, in

order to ensure the safety of her family member. As this cannot be reasonably assured in a hearing setting where certain preventative public health measures against contagious diseases—such as mandatory masking—are not in place, Rule Proponents respectfully request that Ms. Pino be permitted to testify remotely.

Though this proceeding involves some complex issues, Ms. Pino's testimony itself is not anticipated to be complex or lengthy. Other witnesses are testifying to more technical topics and received significantly greater numbers of Pre-Filed Questions directed to their attention. Indeed, only a single party, the Indiana, Illinois, Iowa Foundation for Fair Contracting ("IIIFC"), directed any Pre-Filed Questions at Ms. Pino whatsoever. This suggests that her cross-examination will be limited in duration and scope and may only involve a single party and only then to the extent IIIFC seeks clarification of Ms. Pino's Pre-Filed Answers. IIIFC was represented by counsel at the November 13, 2024, prehearing conference and did not object to Rule Proponents' request that Ms. Pino testify remotely.

Moreover, as instructed by the Hearing Officer at the November 13, 2024, prehearing conference in this matter, Rule Proponents' counsel will work directly with Board staff to ensure Ms. Pino's remote participation does not create significant delays or inefficiencies.

Accordingly, Rule Proponents hereby respectfully request that the Hearing Officers issue an order permitting witnesses Juliana Pino to testify remotely.

Date: November 20, 2024

Respectfully submitted,



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Network and Respiratory Health Association*

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**CERTIFICATE OF SERVICE**

I, the undersigned, on affirmation state the following:

That I have served the attached Notice of Filing; Rule Proponents' Unopposed Motion to Request Remote Testimony for Witness Juliana Pino; and Certificate of Service, by e-mail upon the following individuals listed at the e-mail addresses indicated:

TO:

Don Brown Clerk of the Board Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 <a href="mailto:don.brown@illinois.gov">don.brown@illinois.gov</a>	Vanessa Horton & Carlie Leoni Hearing Officers Illinois Pollution Control Board 60 East Van Buren Street, Suite 630 Chicago, Illinois 60605 <a href="mailto:Vanessa.Horton@Illinois.gov">Vanessa.Horton@Illinois.gov</a> <a href="mailto:Carlie.Leoni@Illinois.Gov">Carlie.Leoni@Illinois.Gov</a>
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That my e-mail address is [robert.weinstock@law.northwestern.edu](mailto:robert.weinstock@law.northwestern.edu).

That the number of pages in the e-mail transmission is 8.

That the e-mail transmission took place before 5:00 p.m. on the date of November 20, 2024.

Date: November 20, 2024



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