

ILLINOIS POLLUTION CONTROL BOARD  
August 1, 1994

IN THE MATTER OF: )  
 )  
15% ROP PLAN CONTROL MEASURES )  
FOR VOM EMISSIONS - PART II: )  
MARINE VESSEL LOADING ) R94-15  
(AMENDMENTS TO 35 Ill. Adm. ) (Rulemaking)  
Code Parts 211, 218, and 219) )

ORDER OF THE BOARD (by G. T. Girard):

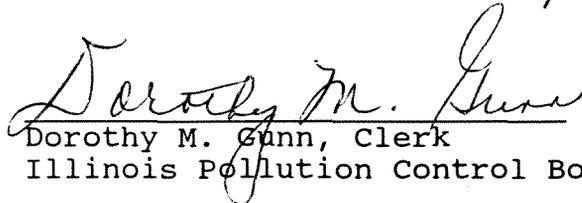
On July 28, 1994, the Board received a motion to withdraw the request for second hearing which has been scheduled for August 9, 1994, in Collinsville, Illinois. The motion and request for the second hearing were both filed by the Illinois Environmental Regulatory Group (IERG). For the following reasons, the Board denies the motion.

This rulemaking proceeding was filed pursuant to Section 28.5 of the Environmental Protection Act (Act) which contains specific timeframes for hearings, Board action and closure of the record in the proceeding. Under Section 28.5 of the Act, the record closes 14 days after the availability of the transcript from the last hearing. The transcript from the first hearing was received on July 18, 1994. Thus, if there is no second hearing, the record would close today, August 1, 1994.

Since a hearing officer order setting this matter for a second hearing was mailed to the 17 persons on the notice list and because those persons would be adversely affected if the expected hearing is cancelled and the record closed today, it is not practical to cancel the second hearing at this late date. Therefore, the motion is denied and this matter will proceed to a second hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1<sup>st</sup> day of August, 1994, by a vote of 4-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board