

1 BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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4 IN THE MATTER OF:)
5 PROPOSED AMENDMENTS TO) R00-19
6 TIERED APPROACH TO) (Rulemaking-Land)
7 CORRECTIVE ACTION OBJECTIVES)
(35 ILL. ADM. CODE 742))

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VOLUME II

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14 The following is a transcript of a
15 rulemaking hearing held in the above-entitled
16 matter, taken stenographically by Geanna M.
17 Iaquinta, CSR, before Catherine F. Glenn,
18 Hearing Officer, at 100 West Randolph Street,
19 Room 9-040, Chicago, Illinois, on the 21st day
20 of September, 2000, commencing at the hour of
21 12:00 o'clock p.m.

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1 A P P E A R A N C E S :

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3 HEARING TAKEN BEFORE :

4 ILLINOIS POLLUTION CONTROL BOARD

100 West Randolph Street

5 Room 9-040

Chicago, Illinois 60601

6 (312) 814-3620

BY: MS. CATHERINE F. GLENN

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11 ILLINOIS POLLUTION CONTROL BOARD MEMBERS PRESENT :

12 Ms. Elena Z. Kezelis

13 Ms. Marili McFawn

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I N D E X

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1 HEARING OFFICER GLENN: Good morning. I
2 would like to welcome you to this hearing held
3 by the Illinois Pollution Control Board in the
4 matter of Proposed Amendments to the Tiered
5 Approach To Corrective Action Objectives, TACO,
6 35 Illinois Administrative Code 742, docket
7 number R00-19.

8 My name is Cathy Glenn, and I am
9 the assistant to Board Member Ronald Flemal.
10 At the request of Board Member Elena Kezelis
11 and Hearing Officer Amy Jackson, I am filling
12 in for Amy as the hearing officer today.

13 Present today on behalf of the
14 Board and seated to my left is Board Member
15 Elena Kezelis, and seated to my right is Board
16 Member Marili McFawn.

17 Today's hearing was scheduled for
18 the purpose of taking testimony regarding the
19 Board's request pursuant to Section 27(b)(1) of
20 the Environmental Protection Act that the
21 Department of Commerce and Community Affairs,
22 or DCCA, conduct an economic impact study for

23 this rulemaking.

24 The Board requested on August 1st,

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1 2000, that DCCA perform an economic impact
2 study. In that letter, the Board advised DCCA
3 that if it had not heard from DCCA within ten
4 days of the date of the letter, the Board would
5 assume that DCCA would be declining to perform
6 the requested study and would rely on a March
7 10th, 2000, letter from DCCA in which DCCA
8 explained that it did not intend to perform the
9 economic impact studies due to limited
10 resources.

11 Since DCCA has never responded to
12 the Board's August 1st, 2000, letter, we are
13 relying on DCCA's March 10th, 2000, letter in
14 concluding that no economic impact study will
15 be performed.

16 The Board is required, pursuant to
17 Section 27(b)(2) of the Act, to hold at least
18 one hearing on the economic impact of this
19 proposed rule. Accordingly, this hearing today
20 will address not only our request for an
21 economic impact study, but also DCCA's decision

22 not to perform one.

23 On the table by the entrance are
24 extra copies of the First Notice Opinions and

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1 Orders issued by the Board in both subdockets
2 pending in this matter, A and B, as well as
3 copies of both the March 10th, 2000, DCCA
4 letter and the August 1st, 2000, Board letter.

5 Is there anyone present who would
6 like to make a statement regarding the economic
7 impact of these TACO amendments? Okay. If
8 there is no one that would like to testify, I
9 would like to keep the record open for ten to
10 15 minutes to see if anyone appears that would
11 like to testify, and let's go off the record.
12 Thank you.

13 (Brief pause.)

14 HEARING OFFICER GLENN: We are back on
15 the record.

16 It is 12:15, and no one has
17 appeared who wishes to give testimony regarding
18 the economic impact of this rulemaking. We
19 will therefore conclude the proceeding.

20 I note for the record that the

21 hearing on September 22nd, 2000, has been
22 cancelled and no additional hearings have been
23 set at this time. Written public comments may
24 be filed through October 23rd, 2000. Thank you

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1 for coming. We are adjourned.
2 (Whereupon, the proceedings
3 in the above-entitled cause were
4 adjourned.)
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1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF C O O K)

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4 I, GEANNA M. IAQUINTA, CSR, do
5 hereby state that I am a court reporter doing
6 business in the City of Chicago, County of
7 Cook, and State of Illinois; that I reported by
8 means of machine shorthand the proceedings held
9 in the foregoing cause, and that the foregoing
10 is a true and correct transcript of my
11 shorthand notes so taken as aforesaid.

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14 Geanna M. Iaquina, CSR
15 Notary Public, Cook County, IL
Illinois License No. 084-004096

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17 SUBSCRIBED AND SWORN TO
before me this ____ day
18 of _____, A.D., 2000.

19

Notary Public

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