

1 ILLINOIS POLLUTION CONTROL BOARD

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3 IN THE MATTER OF:)
)
 4 NOISE RULE UPDATE:)
 AMENDMENTS TO 35 ILL. ADM.) R03-8
 5 CODE 900 AND 903) (Rulemaking -- Noise)
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11 The following is a transcript held
 12 in the above-entitled cause before HEARING
 13 OFFICER WILLIAM F. MURPHY, taken
 14 stenographically before MARY ELLEN KUSIBAB,
 15 Certified Shorthand Reporter and Notary
 16 Public in and for the County of Cook, State
 17 of Illinois, at 100 West Randolph Street,
 18 Room 11-150, Chicago, Illinois, commencing at
 19 1:00 p.m. on the 7th day of November, A.D.,
 20 2002.

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1 APPEARANCES:

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3 ILLINOIS POLLUTION CONTROL BOARD
4 100 West Randolph Street
5 Room 11-500
6 Chicago, Illinois 60601
7 Phone: (312) 814-6062
8 Fax: (312) 814-3669
9 BY: HEARING OFFICER WILLIAM F. MURPHY;

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8 BOARD MEMBERS:

9 Mr. G. Tanner Girard
10 Mr. Nicholas J. Melas
11 Mr. Thomas E. Johnson

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12 MEMBERS OF THE BOARD STAFF:

13 Mr. Anand Rao, Senior Environmental Specialist
14 Ms. Marie Tipsord, Attorney
15 Ms. Amy Antonioli, Attorney

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1 HEARING OFFICER MURPHY: Good
2 afternoon. My name is William Murphy, and I
3 am the Hearing Officer in this proceeding.

4 I'd like to welcome you to this
5 hearing being held by the Illinois Pollution
6 Control Board in the matter of Noise Rule
7 Update, Amendments to 35 Illinois
8 Administrative Code 900, 903.

9 Present today on behalf of the
10 Illinois Pollution Control Board is Board
11 Member Michael Tristano. He is the Board
12 Member coordinating this rulemaking.

13 Also present are Board Member
14 Dr. G. Tanner Girard, Board Member Thomas
15 Johnson and Board Member Nicholas Melas.

16 Pursuant to 35 Illinois
17 Administrative Code, Part 102, Subpart B, and
18 Sections 27 and 28 of the Illinois
19 Environmental Protection Act, the Illinois
20 Pollution Control Board opened this
21 rulemaking to amend and update the Board's
22 noise rules. The noise rules effected as set
23 forth in 35 Illinois Administrative Code 900
24 and 903.

1 These are general provisions
2 dealing with definitions of the portable
3 terminology, prohibition against noise
4 pollution and sound measurement procedures.
5 The proposed changes involve the updating of
6 definitions and sound measurement procedures.
7 These definitions and measurement procedures
8 were adopted in 1973, and not been amended or
9 changed since then. The basis for these
10 changes is the American National Standards
11 Institute Updates for the years 1998, through
12 2001.

13 The Board also proposes to appeal
14 Part 903, which specifies rules and
15 regulations for control of noise from motor
16 racing facilities. Since the adoption of
17 these rules, Section 25 of the Environmental
18 Protection Act had been modified to exclude
19 organized sporting events, including motor
20 racing facilities, and enforce noise
21 regulations. The Board intends to hold a
22 second hearing on this matter on November
23 21st in Springfield.

24 We do have some Members of the

1 Board staff here that I have not introduced.
2 Anand Rao is from the West Technical Staff.
3 Marie Tipsord is the attorney assistant to
4 Member Girard. And Amy Antoniolli is the
5 attorney assistant to Member Melas.

6 Mr. Tristano, would you like to
7 make any comments at this time?

8 BOARD MEMBER TRISTANO: No.

9 HEARING OFFICER MURPHY: Any of the
10 other Board Members intend or care to make
11 any statements?

12 BOARD MEMBER MELAS: No, thanks.

13 HEARING OFFICER MURPHY: Seeing
14 that there are no members of the public in
15 attendance and the Board Members do not
16 object, we will take about a 20-minute recess
17 to see if anyone attends.

18 Are there any objections?

19 (No response.)

20 HEARING OFFICER MURPHY: Seeing
21 none, we will take a break for 20 minutes,
22 and we will return at 1:30.

23 We can go off the record.

24 (A short break was had.)

1 HEARING OFFICER MURPHY: Can we go
2 back on the record?

3 During the break, no members of the
4 public were in attendance. For the record,
5 the next hearing in this matter is scheduled
6 to go on November 21st at 1:00 p.m. in
7 Springfield.

8 Are there any objections to
9 adjourning the hearing?

10 BOARD MEMBER TRISTANO: No.

11 HEARING OFFICER MURPHY: Hearing
12 none, the hearing is adjourned.

13 (Whereupon, those were all the
14 proceedings held in the
15 above-entitled cause on that day.)

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1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF C O O K)

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4 I, MARY ELLEN KUSIBAB, CSR, a
5 notary public within and for the County of
6 Cook and State of Illinois, do hereby certify
7 that heretofore, to-wit, on the 7th day of
8 November, A.D., 2002, at 100 West Randolph
9 Street, Room 11-150, in the City of Chicago,
10 County of Cook and State of Illinois, I
11 reported in shorthand the proceedings held in
12 the above-entitled cause, and the foregoing
13 is a true and correct transcript of the
14 hearing.

15 In testimony whereof, I have
16 hereunto set my hand and affixed my notarial
17 seal this 18th day of November, A.D., 2002.

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21 Mary Ellen Kusibab, CSR
22 Notary Public, Cook County, IL
Illinois License No. 084-004348

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