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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
NOISE RULE UPDATE:) R03-008
AMENDMENTS TO 35 ILLINOIS)
ADMINISTRATIVE CODE 900 and 903)

The following is a transcript of the above-entitled matter taken stenographically before ANN MARIE HOLLO, CSR, RPR, RMR, a notary public within and for the County of Montgomery and State of Illinois. Said hearing was taken on the 21st day of November A.D., 2002, commencing at 1:00 o'clock p.m. at the Illinois Pollution Control Board Hearing Room, Room 403, 600 South Second Street, Springfield, Illinois.

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APPEARANCES:

ILLINOIS POLLUTION CONTROL BOARD
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
By: William F. Murphy, Esq., Hearing Officer

BOARD MEMBERS PRESENT:
Michael Tristano
G. Tanner Girard, Ph.D.
Anand Rao
Thomas E. Johnson

BOARD STAFF MEMBERS PRESENT:
Erin Conley
Carol Sudman

1 HEARING OFFICER MURPHY: Good afternoon.
2 My name is William Murphy. I'm the hearing officer in
3 this proceeding. I would like to welcome you to the
4 second hearing being held by the Illinois Pollution
5 Control Board in the matter of Noise Rule
6 Update: Amendments to 35 Illinois Administrative Code
7 900 and 903.

8 Present today on behalf of the Illinois
9 Pollution Control Board is member Michael Tristano. He
10 is the board member coordinating this rule making.

11 Also present are board member Thomas
12 Johnson, and board member Dr. G. Tanner Girard.

13 Pursuant to Illinois -- 35 Illinois
14 Administrative Code, Part 102, sub-part B, and Sections
15 27 and 28 of the Illinois Environmental Protection Act,
16 the Illinois Pollution Control Board opened this rule
17 making to amend and update the Board's noise rules, the
18 noise rules affected as set forth at 35 Illinois
19 Administrative Code 900 and 903. These are general
20 provisions dealing with definitions of acoustical
21 terminology, prohibition against noise pollution and
22 sound measurement procedures.

23 Post changes involved the updating of
24 definitions and sound measurement procedures. These

1 definitions and measurement procedures were adopted in
2 1973 and have not been amended or changed since then.
3 The basis for these changes is the American National
4 Standards Institute updates from the years 1998 through
5 2001.

6 The Board also proposes to appeal Part 903,
7 which specifies rules and regulations for the control of
8 noise for motor racing facilities. Since the adoption
9 of these rules, Section 25 of the Environmental
10 Protection Act has been modified to exclude organized
11 sporting events, including motor racing facilities from
12 the Board's noise regulations.

13 We do have some members of the board staff
14 I have introduced. Anand Rao is from the board's
15 technical unit.

16 Also here is Erin Conley, the board's rule
17 making coordinator. And Carol Sudman, the chairman's
18 assistant.

19 Mr. Tristano, do you have any comments at
20 this time?

21 MR. TRISTANO: No.

22 HEARING OFFICER MURPHY: Would any of the
23 other board members like to make any comments?

24 MR. JOHNSON: No thanks.

1 DR. GIRARD: No thanks.

2 HEARING OFFICER MURPHY: Seeing that there
3 are no members of the public in attendance, if the board
4 members do not object, we will take a 15-minute recess
5 to see if anyone attends. Are there any objections?

6 DR. GIRARD: No.

7 MR. JOHNSON: No.

8 HEARING OFFICER MURPHY: Seeing none, we
9 will take a break for 15 minutes and return at 1:20.
10 Can we go off the record please?

11 [Brief break.]

12 HEARING OFFICER MURPHY: For the record, it
13 is roughly 1:22. During the break, no members of the
14 public came to attend.

15 For the record, the date for the prefile
16 notice for comments is December 12th of 2002.

17 Are there any objections to adjourn this
18 hearing?

19 With no objections, this hearing is
20 adjourned. Thank you.

21 [End of hearing.]

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COURT REPORTER'S CERTIFICATION

I, Ann Marie Hollo, Certified Shorthand Reporter, Registered Professional Reporter, Registered Merit Reporter of the State of Illinois and Notary Public, do hereby certify that said hearing before the Illinois Pollution Control Board, took place on the 21st day of November, A.D., 2002, and held at the Illinois Pollution Control Board, 600 South Second Street, Room 403, Springfield, Illinois.

I do hereby certify that I did take stenographic notes of the proceedings and that said notes were reduced to typewritten form under my direction and supervision.

I do further certify that the attached and foregoing is a true, correct and complete copy of my notes and that said testimony is now herewith returned.

I do further certify that I am not related in any way to any of the parties involved in this action and have no interest in the outcome thereof.

Dated at Litchfield, Illinois, this 26th day of November, A.D. 2002 and given under my hand and seal. My commission expires April 5, 2006.

Ann Marie Hollo, CSR, RPR, RMR

