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STATE OF ILLINOIS
Pollution Control Board

BOUGHTON

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PC#6

Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, IL 60601

September 4, 2003

Re: R03-09: Comment and Request for Hearing on Proposed Rule Changes

Dear Ms. Gunn:

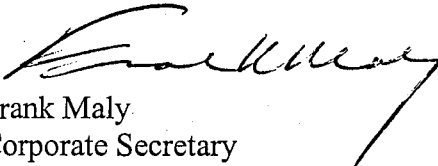
I am writing to request that a hearing be held to review the proposed rule changes in Docket R03-09.

This rule makes substantial changes to existing law that have not been adequately reviewed by the affected industry.

We share the concern raised by the Illinois Association of Aggregate Producers (IAAP) that this proposal would eliminate the requirement that sound pressure be measured by trained persons using accepted and uniform measurement techniques when used in the context of alleged noise nuisance cases. As currently drafted, this rule proposes a technically unsound approach and its costs and implications have not been adequately considered in this proceeding.

We request that the Board either accept the changes proposed by the IAAP or reopen this matter for technical and economic hearings and comment.

Sincerely,


Frank Maly
Corporate Secretary

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