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MAY 25 2004

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
)  
CLEAN-UP PART III AMENDMENTS TO 35 ) R04-20  
ILL. ADM. CODE PARTS 211, 218, AND 219 ) (Rulemaking - Air)

IN THE MATTER OF: )  
)  
TECHNICAL CORRECTIONS TO ) R04-12  
FORMULAS IN 35 ILL. ADM. CODE 214 ) (Rulemaking - Air)  
"SULFUR LIMITATIONS" ) (Consolidated)

**HEARING OFFICER ORDER**

As set forth below, this order establishes a pre-first notice deadline for filing public comments with the Board. By way of background, on January 22, 2004, the Board accepted the rulemaking proposal of the Illinois Environmental Protection Agency (Agency) in R04-20. The Agency proposes to amend the Board's air pollution rules at 35 Ill. Adm. Code 211, 218, 219. For purposes of hearing, the Board consolidated the R04-20 rulemaking with R04-12, a Board-initiated rulemaking proposal to amend the Board's air pollution rules at 35 Ill. Adm. Code 214.

For this consolidated rulemaking, the Board held a hearing in Chicago on March 18, 2004, and in Springfield on May 6, 2004. The transcripts of those hearings are available on the Board's Web Site through the Clerk's Office On-Line (COOL) at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Two hearing exhibits were entered into the record:

Hearing Exhibit 1

Five Board orders that bear upon proposed amendments to equations: (1) May 25, 1978, in R75-5, R74-2; (2) Dec. 14, 1978, in R75-5, R74-2; (3) Feb. 15, 1979, in R75-5, R74-2; (4) Feb. 24, 1983, in R80-22; and (5) Apr. 20, 1995, R94-31.

Hearing Exhibit 2

Agency's "Errata Sheet," showing proposed changes in underline/strikeout to the rule language originally set forth in the R04-20 proposal.

The Agency's errata sheet (Hearing Exhibit 2) is available on-line through COOL, as are many other documents in these rulemaking records. The entire record in each rulemaking is available in Chicago at the Clerk's Office (312-814-3629).

June 18, 2004, is the deadline for filing written public comments with the Clerk's Office before the Board proceeds to first notice in R04-12 and R04-20. Public comments must be filed at the following address:

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

Each filing should identify the docket "R04-12/R04-20" and specify whether the comment relates the Agency's proposal in R04-20 or the Board's proposal in R04-12. There will be other opportunities to file public comments in this consolidated rulemaking, but filing by June 18, 2004, ensures that your comment will be considered by the Board before the Board adopts proposed rules for first-notice publication in the *Illinois Register*.

Each person who files a public comment with the Board must also serve a copy of the public comment to each person on the Service List. Before filing, please contact Lynn Delaney at (312) 814-3832 or the hearing officer to ensure that you have the most recent version of the Service List.

IT IS SO ORDERED.



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Richard R. McGill, Jr.  
Hearing Officer, Illinois Pollution Control Board  
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