

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

RECEIVED  
CLERK'S OFFICE  
JUL 03 2007

IN THE MATTER OF: )  
)  
FAST-TRACK RULES UNDER NITROGEN )  
OXIDE (NO<sub>x</sub>) SIP CALL PHASE II )  
AMENDMENTS TO 35 ILL. ADM. CODE )  
SECTION 201.146 AND PARTS 211 AND 217 )  
\_\_\_\_\_ )

STATE OF ILLINOIS  
Pollution Control Board  
R07-18  
(Rulemaking – Air)

IN THE MATTER OF: )  
)  
SECTION 27 PROPOSED RULES FOR )  
NITROGEN OXIDE (NO<sub>x</sub>) EMISSIONS )  
FROM STATIONARY RECIPROCATING )  
INTERNAL COMBUSTION ENGINES AND )  
TURBINES: AMENDMENTS TO 35 ILL. )  
ADM. CODE PARTS 211 AND 217 )

R07-19  
(Rulemaking – Air)

**NOTICE**

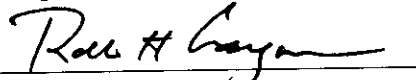
To: John Therriault, Acting Clerk  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Timothy Fox, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Chicago, Illinois 60601

See also, Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **MOTION FOR LEAVE TO SUPPLEMENT AND SUPPLEMENT TO MOTION FOR RECONSIDERATION, MOTION FOR WAIVER OF PROCEDURAL REQUIREMENTS and EXHIBIT** of the Respondent, Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted by,



Robb H. Layman  
Assistant Counsel

Dated July 5, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 524-9137

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
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R07-19  
(Rulemaking – Air)

**MOTION FOR LEAVE TO SUPPLEMENT  
AND SUPPLEMENT TO MOTION FOR RECONSIDERATION**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through its attorneys, and requests leave to add a supporting exhibit to the Illinois EPA’s Motion for Reconsideration recently filed with the Board in the above-captioned matter. In support thereof, the Respondent states the following:

1. On June 25, 2007, the Illinois EPA electronically filed a Motion for Reconsideration (hereinafter “Motion”) with the Board pertaining to an earlier May 17, 2007, order. In that Motion, the Illinois EPA referred to a document entitled “*Report of the Attorney General’s Task Force on Environmental Legal Resources (1992)*” (hereinafter “Attorney General’s Task Force Report”). The document was also previously cited in one of the objections received by the Board concerning the fast-track proposal.

2. On or about June 29, 2007, the undersigned attorney received a phone call

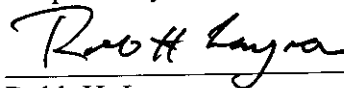
from one of the attorneys now representing a consortium of natural gas suppliers. The attorney requested assistance from the Illinois EPA in locating a copy of the Attorney General's Task Force Report. The undersigned attorney provided the requesting attorney a facsimile copy of relevant portions of the document on that same date and, further, represented that a complete copy of the document would be made with the Board and other interested parties.

3. For the convenience of the Board and other interested parties, the Illinois EPA herewith seeks leave to supplement its earlier Motion for Reconsideration with a copy of the above-referenced document. The Attorney General's Task Force Report, attached hereto, appears in the same form as the copy currently maintained by the Illinois EPA in its public library at the Springfield, Illinois headquarters.

4. No hardship or prejudice will occur to any interested person associated with this rulemaking.

**WHEREFORE**, the Illinois EPA respectfully requests that the Board grant leave to supplement the Illinois EPA's prior Motion for Reconsideration with a copy of the aforementioned exhibit or, in the alternative, provide such relief as may be just and appropriate.

Respectfully submitted by,



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Robb H. Layman  
Assistant Counsel

Dated: July 5, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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R07-19  
(Rulemaking – Air)

**MOTION FOR WAIVER OF PROCEDURAL REQUIREMENTS**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by and through its attorneys, and moves the Board to waive the copy requirements of 35 Ill. Adm. Code Section 101.302(h) relative to the supplemental exhibit in this matter. In support thereof, the Respondent states the following:

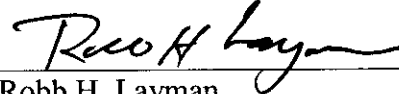
1. Section 101.302(h) of the Board’s procedural regulations provides that all documents filed with the Board must consist of an original and nine duplicate copies. *See, 35 Ill. Adm. Code 101.302(h).*

2. The Illinois EPA requests that the Board waive the copying requirement in this matter for the sake of administrative convenience. Five copies of the designated supplemental exhibit are attached hereto. Each of the interested parties to the rulemaking will be provided one copy of the same exhibit.

3. No hardship or prejudice will occur to any interested person associated with this rulemaking.

**WHEREFORE**, the Illinois EPA respectfully requests that the Board waive the usual copying requirements of the Board's procedural regulations, thus allowing the filing of only five copies of the supplemental exhibit with the Board or, in the alternative, provide such relief as may be just and appropriate.

Respectfully submitted by,



Robb H. Layman  
Assistant Counsel

Dated: July 5, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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JUL 09 2007

CERTIFICATE OF SERVICE

STATE OF ILLINOIS  
Pollution Control Board

I hereby certify that on the 5<sup>th</sup> day of July 2007, I did send, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, a copy of instruments entitled **MOTION FOR LEAVE TO SUPPLEMENT AND SUPPLEMENT TO MOTION FOR RECONSIDERATION, MOTION FOR WAIVER OF PROCEDURAL REQUIREMENTS and EXHIBIT**

to:

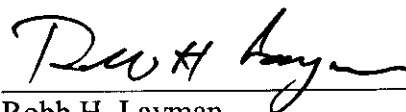
John Therriault, Acting Clerk  
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Suite 11-500  
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Timothy Fox, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

and a true and correct copy of the same foregoing instruments by express mail delivery service,

to:

See also, Attached Service List



Robb H. Layman  
Assistant Counsel

Additional Service List

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