

ILLINOIS POLLUTION CONTROL BOARD  
July 11, 2007

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**STATE OF ILLINOIS**  
**Pollution Control Board**

IN THE MATTER OF: )  
)  
SECTION 27 PROPOSED RULES FOR ) R07-19  
NITROGEN OXIDE (NO<sub>x</sub>) EMISSIONS ) (Rulemaking - Air)  
FROM STATIONARY RECIPROCATING )  
INTERNAL COMBUSTION ENGINES AND )  
TURBINES: AMENDMENTS TO 35 ILL. )  
ADM. CODE PARTS 211 AND 217 )

**HEARING OFFICER ORDER**

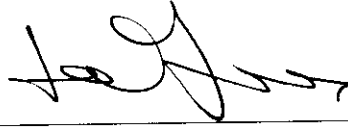
On Friday, June 29, 2007, ANR Pipeline Company, Natural Gas Pipeline Company, Trunkline Gas Company, and Panhandle Eastern Pipeline Company (collectively, the Pipeline Consortium) filed a motion for production of information (Mot.). The Pipeline Consortium seeks to have the hearing officer order the Illinois Environmental Protection Agency (Agency) "to produce any and all documents related to the BaseK OSAT/PSAT simulations summarized in the PowerPoint presentation that accompanied Michael Koerber's pre-filed testimony, submitted by the Agency on May 11, 2007" (Mot. at 1), including specified modeling data, to its consultant, Alpine Geophysics, LLC (Alpine). The motion identifies Mr. Koerber as the Executive Director of the Lake Michigan Air Directors Consortium (LADCO) and as the person who developed and maintains the requested data. *Id.* at 2.

In its motion, the Pipeline Consortium stated that the Agency was preparing the data and would provide it within 10-14 days. Mot. at 1-2. Noting the "highly technical" nature of the data it requested, the Pipeline Consortium requested that the data be conveyed in specific ways through various media. *See* Mot. at 2.

On Tuesday, July 3, 2007, the Pipeline Consortium filed a supplement to its motion for production (Supp.). It states that "[t]he Pipeline Consortium understands that modeling data is typically shared among modelers through external USB hard drives." Supp. at 2. The Pipeline Consortium requests that Mr. Koerber supply the specified modeling data to Alpine through this medium through a particular method, noting that "[t]his method is consistent with the practice that Alpine Geophysics has employed with LADCO in other circumstances." *See* Supp. at 2. The Pipeline Consortium characterized its supplement as a noncontroversial clarification of a ministerial activity. *Id.*

The Agency has not filed with the Board any response either to the original motion or to the supplement. Accordingly, if it has not already done so, the Agency is directed to supply the modeling data requested in the Pipeline Consortium's motion and supplement through the method described in the supplement. As the Agency has informed the Pipeline Consortium that it would be providing that data within 10-14 days (Mot. at 1-2), the Agency is directed to supply the requested data, if it has not already done so, no later than Monday, July 16, 2007.

IT IS SO ORDERED.



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