BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

IN THE MATTER OF: RACT DEFICIENCIES - AMENDMENTS TO 35 ILL. ADM. CODE PARTS 211 and 215	)	R 89-16 (Rulemaking)

N O T I C E

TO: Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(AIRBORNE EXPRESS)

Dan L. Siegfried, Hearing Officer
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(AIRBORNE EXPRESS)

PERSONS ON ATTACHED LIST
(FIRST CLASS MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the Motion to Reconsider

of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: John Kenneth Peek

John Kenneth Peek
Attorney
Enforcement Programs

Date: March 14, 1990
Agency File #

2200 Churchill Road, P. O. Box 19276
Springfield, IL 62794-9276
217/782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
RACT DEFICIENCIES -	)	R89-16
AMENDMENTS TO 35 ILL. ADM.	)	(Rulemaking)
CODE PARTS 211 AND 215	)	

MOTION TO RECONSIDER

Now comes the Illinois Environmental Protection Agency ("Agency") and moves the Illinois Pollution Control Board ("Board") to reconsider and void its Order of February 8, 1990, and in support thereof states the following arguments.

The Board, in its Order of February 8, 1990, addresses two important issues and makes a final decision on those issues.

1. Whether the Board has the authority to review and dismiss a certification by the Agency that a proposed rule is a "required rule" within the definition contained in Section 28.2(a) of the Illinois Environmental Protection Act ("Act"), Ill. Rev. Stat. 1987, ch. 111½, par. 1001 et seq.
2. Whether the proposed changes to the Generic rule and SOCMI rule, which were included in the Agency's proposal in R89-16, are "required rules" within the meaning of Section 28.2(a) of the Act.

The Board erred in its decision on both issues and in so doing misinterpreted Section 28.2 of the Act and the respective responsibilities of the participants, including the Board, pursuant to Section 28.2.

BOARD REVIEW OF AGENCY CERTIFICATION

Does the Board have the authority to review an Agency certification of a proposed rule as a required rule pursuant to Section 28.2(e)? No, the Board does not have such authority.

A. The Board's Analysis and Decision

In addressing the question of the significance of an Agency certification, the Board correctly finds that the certification is simply the formal prerequisite required to invoke the Section 28.2 expedited rulemaking procedure. Thus the certification is simply an initial step whereby the procedure to be followed in considering the Agency's proposal is identified.

The Agency's authority to so certify is of course specifically contained in the first sentence of Section 28.2(e) and is compatible and consistent with its responsibilities under Section 4(l) of the Act as the designated air pollution agency for the State of Illinois for all purposes of the Clean Air Act, 42 U.S.C. §§ 7401 et seq.

In contrast, there is no grant of authority to the Board to reject and dismiss the Agency certification in this proceeding or any other proceeding. The Board is an administrative body and is subject to the statutory rule applicable to all administrative agencies; that is, without a specific statutory grant of authority, such authority does not exist. Village of Lombard v. Pollution Control Board, 66 Ill. 2d 503, 363 N.E.2d 814, 6 Ill. Dec. 867 (1977); Illinois Power Company v. Illinois Pollution Control Board, 137 Ill. App. 3d 449, 484 N.E.2d 898, 92 Ill. Dec. 167 (4th Dist. 1985); Chemetco, Inc. v. Illinois Pollution Control Board, 140 Ill. App. 3d 283, 488 N.E.2d 639, 94 Ill. Dec. 640 (5th Dist. 1986).

The Board purports to find such authority in Section 5(d) of the Act, explicitly finding it has authority to review the Agency certification:

> The Board finds that, although Section 28.2 is silent on the issue, an Agency certification that it believes a proposed rule is a "required rule" is an Agency final determination on the issue and, thus, pursuant to Section 5(d) of the Act, it is reviewable by the Board.

A close examination of the language of Section 5(d) demonstrates that the authority upon which the Board relies is not there:

> d. The Board shall have authority to conduct hearings upon complaints charging violations of this Act or of regulations thereunder, upon petitions for variances; upon petitions for review of the Agency's denial of a permit in accordance with Title X of this Act; upon petition to remove a seal under Section 34 of this Act; upon other petitions for review of final determinations which are made pursuant to the Act or Board rule and which involve a subject which the Board is authorized to regulate; and such other hearings as may be provided by rule. (emphasis added)

First, it is clear that the only basic grant of authority to the Board contained in Section 5(d) is the authority to "conduct hearings". There is no decision-making or review authority of any kind granted to the Board by Section 5(d), other than the authority to conduct a hearing. Put simply, the grant of authority to conduct a hearing does not constitute authority to review an Agency decision. Therefore, the Board's decision that it can review the Agency certification, which is explicity based on Section 5(d) of the Act, is clearly an incorrect and faulty decision.

The last catch-all authority for a hearing in Section 5(d) is for "review of final determinations which are made pursuant to the Act or Board rule and which involve a subject which the Board is authorized to regulate." (emphasis added) Thus the Board, in order to even have

authority to conduct a hearing, must have a "final determination" by the Agency on a subject which the Board is "authorized to regulate."

However, nowhere in the Act is there any authority for the Board to regulate or review the Agency's certification of a rule as a required rule. Thus Agency certification is not "a subject which the Board is authorized to regulate." It is, in fact, merely a mechanism for initiating a particular type of proceeding. Accordingly, Section 5(d) conveys no authority to the Board to review an Agency certification pursuant to Section 28.2(e).

This conclusion is entirely consistent with the Act. In any regulatory or other proceeding, the petitioner initiates the proceeding by selecting an available procedure which necessarily determines the process. In similar fashion, a complainant files a complaint and initiates an enforcement case, and a petitioner files a variance or permit denial appeal which initiates and defines the process. Similarly, the Agency files a proposed rule and certifies it as a required rule pursuant to Section 28.2, thereby initiating and defining the process.

B. The Agency's Position

In light of the foregoing, the Agency asserts that it is clear that one must look at Section 28.2(e) and the overall purposes and language of Section 28.2 (and not Sections 5(d), 27 and 28) in order to determine whether the Board has authority to review and reject the Agency's certification in this proceeding or any other proceeding.

It is important to realize that the Agency is not asserting that, under Section 28.2, the Agency certification is beyond judicial review.

As the Board found - and the Agency agrees - the Agency certification is a procedural mechanism for triggering the use of the Section 28.2 rulemaking procedure. The certification requires the Board to proceed in an expedited manner to a final decision on the Agency proposal in accordance with the provisions of Section 28.2.

Section 28.2 clearly creates an expedited procedure to deal with a federally required rule. Section 28.2(e) mandates that the Agency provide a certification to trigger the procedure. It also mandates that the Board thereafter proceed "expeditiously" to first notice, with a time limit on the Board to do so, mandating as part of that activity that the Board merely "reference" the Agency's certification in the first notice. The statute does not say "review" or "make a determination of its accuracy" and then proceed to first notice. In fact, the use of the term "reference" is very telling. Contrary to the Board's assertion in its Order (page 7, para. 3), this in fact indicates a legislative intent that the Agency certification be given deference, i.e., for the purpose of proceeding rapidly to final decision in order to comply with federal law.

This is entirely consistent with the other provisions of Section 28.2 which expedite the economic impact study procedure and also give the Board authority to determine that a study is unnecessary in the context of a required rule proceeding. More importantly, it is consistent with and necessary to implement the overall purpose of Section 28.2 - to provide timely compliance by the State with the requirements of federal law.

Obviously, in the Board's final decision, the Board must determine whether the Agency has met its burden of showing that its proposal would "fully meet" the requirements of federal law pursuant to subsection (b) of Section 28.2. After the final decision, any participant with a legitimate interest in the outcome of the proceeding may appeal. Such an appeal could raise the issue of whether the proceeding is a required rule proceeding pursuant to Section 28.2 of the Act.

This statutory framework does not undermine the Board's authority, nor does it imbalance the division of responsibilities between the Board and Agency under the Act. The certification mechanism merely expedites the proceeding in the interest of compliance with federal law by the State.

Turning to other issues raised in the Order, the Board goes on in its Order to indicate that

> this is the only possible interpretation of Section 28.2 that allows it to be read consistently with the remainder of the Act. Sections 5, 27 and 28 of the Act make it quite clear that the Board is the rulemaking body in Illinois for substantive regulations that implement various provisions of the Environmental Protection Act.

The Board here simply states that its interpretation of Section 28.2 is correct because such an interpretation is necessary in order for Section 28.2 "to be read consistently" with Sections 5, 27 and 28 of the Act. This is incorrect.

The relation of Section 28.2 to Section 5 has been addressed above. However, the Board here simply assumes that Section 28.2 must be "read together" with Sections 27 and 28, the general rulemaking provisions

of the Act. There is, however, no provision for certification contained in either Section 27 or 28 and therefore no need for, or interpretive value in, reading the Sections together. Furthermore, Section 27 explicitly separates the general rulemaking provisions it contains from more specific rulemaking procedures established elsewhere in the Act such as those contained in Section 28.2:

> The generality of this grant of authority shall only be limited by the specifications of particular classes of regulations elsewhere in this Act.

There is, therefore, no need for Section 28.2 to be read together with Sections 27 and 28.

REQUIRED RULE STATUS

Are the proposed changes to the Generic and SOCMI rules "required rules" within the meaning of Section 28.2?

There is no question the proposed changes to the Generic and SOCMI rules are required rules as defined in Section 28.2(a).

The holding of the Board that the Generic and SOCMI rules are not "required rules" is contained in one short paragraph at the bottom of page 7 and the top of page 8. The Board states:

> Having found the authority to review certifications, the Board further finds that the proposed amendments to the Generic rule and the SOCMI rule are not founded upon "federal law" as that term is used in Section 28.2 of the Act. The Board is persuaded by the thorough analysis submitted in the Industry Group motion, which is discussed above. The Board is also persuaded by the lack of analysis in the Agency's response. The Board can find nothing in the record to directly support the characterization of the Generic rule and SOCMI rule proposed amendments as "required rules." (emphasis added)

With respect to the supposed lack of analysis in the Agency's response, the Board should keep in mind that not only did the Agency submit the full text of its certification, but its brief and comments on the issue of the proper interpretation of Section 28.2 were not due until February 9, 1990. The Agency requested and received from the Board an extension of time to February 9, 1990, to respond to the Objection and Motion to Strike and Motion for Application of Section 28 Rulemaking Procedures filed herein by Stepan Company. That document, although later withdrawn, addressed the same issues as the Motion to Dismiss or Sever Proposed Changes to the Generic Rule and SOCMI Leaks Rules filed by "the Industry Group". Therefore, the Board acted on an issue of great importance the day before all available information and legal arguments were to be submitted by the Agency. The Agency had every expectation that this issue would be decided on the basis of all available information and arguments. However, the Board did not wait for its own deadline to pass before acting and the result is an unfortunate and premature decision.

The Agency points out that the relevant portion of Section 28.2 upon which this issue turns is subsection (a), which defines "required rule". In order to determine whether a rule is a required rule, the Board must simply determine whether it meets the definition for "required rule" contained in subsection (a). However, this is not the analysis which the Board undertook in its decision. Instead, following along with the analysis provided by industry, and specifically relying thereon, the Board instead goes into an interpretation of subsection (b). However,

this subsection is the "standard" subsection, defining the standard for adoption which the Board must use in making its decision.

The term "federal law", which the Board relies on in making this decision, has nothing to do with determining whether a rule is a required rule; in fact, the term "federal law" appears in Section 28.2(b) and specifically refers to the Board's obligation to adopt a rule which "fully meets the applicable federal law." Since the relevant definition of "required rule" is contained in Section 28.2(a), the term "federal law" as contained in subsection (b) is irrelevant to a required rule determination. The Agency points out that the relevant language in Section 28.2(a) provides:

> "required rule" means a rule that is needed to meet the requirements of the federal Clean Water Act, Safe Drinking Water Act, Clean Air Act (including required submission of a State Implementation Plan)... (emphasis added)

The definition includes the Clean Air Act and specifically includes the "required submission of a State Implementation Plan". Since both the SOCMI and Generic rules are required for an adequate state implementation plan under the Clean Air Act, they unmistakably meet the terms of this definition. This is more fully explained in the Agency brief heretofore submitted in this proceeding.

As noted above, the Board explicitly states that "the Board can find nothing in the record" supporting the "characterization" of these rules as required rules. It is troubling and confounding that such an emphatic and dogmatic statement could be so clearly incorrect. The Board recognizes that the Agency certified the rules as required rules,

but apparently did not examine the certification or the assertions it contains regarding the SOCMI and Generic rules. Contrary to the Board's assertion that it can find nothing in the record to directly support the proposed Generic rule and SOCMI rule as "required rules", the Agency certification clearly establishes the Generic and SOCMI rules as required rules. Commencing on the top of page 2, the Agency certification states:

> Regarding the federally required rule status, several sections of the CAA support the general basis for this regulatory package. Section 110 of the CAA requires that each state adopt and submit to USEPA a plan which provides for the implementation, maintenance and enforcement of national ambient air quality standards ("NAAQS") for criteria pollutants. Ozone is a criteria pollutant with a primary NAAQS adopted by USEPA on February 8, 1979. Section 110(a)(2)(h)(ii) gives the Administrator of USEPA the authority to require revisions to the State Implementation Plan ("SIP") whenever it is determined to be substantially inadequate to achieve the national ambient air quality primary or secondary standard. The proposed regulations are to be part of the Illinois SIP for ozone. The proposed revisions address regulations that have been identified as deficient by USEPA.
>
> Three sections of the CAA describe pertinent requirements for a nonattainment area SIP. Section 172(b)(2) states that a SIP is required to "... provide for the implementation of all reasonably available control measures...." According to Section 172(b)(5), the SIP provisions must "... expressly identify and quantity the emissions, if any, of any such pollutant which will be allowed to result from the construction and operation of major new or modified stationary sources for each such area." In addition, the SIP provisions must "... contain emission limitations, schedules of compliance and such other measures as may be necessary to meet the requirements of this section." (Section 172(b)(8)) All the proposed sections in this regulatory package relate to the RACT requirement in Section 172(b)(2) of the CAA. The proposed regulations refer to the applicability, the implementation and enforcement of these RACT requirements.

> Section 28.2 of the Act states that a "required rule" is "... a rule that is needed to meet the requirements of ... the Clean Air Act (including required submission of a state implementation plan)." This regulatory proposal is needed to meet the above-mentioned requirements for RACT in the CAA.
>
> Additional federal justification establishing this regulatory package as a "required rule" differs widely for each deficiency. A description of the additional federal justification for each deficiency is provided in attached Table 1.
>
> All the revised and new sections presented in this regulatory package are federally required to meet the RACT requirements contained in Sections 110, 110(a)(2)(h)(ii), 172(b)(2), (5) and (8) of the CAA. If adopted, these proposed regulations would fully meet the applicable federal law. The proposed Generic Rule revisions will meet the requirements of applicable federal law as it relates to only the individual sections modified and not to the entire regulation, except for 35 Ill. Adm. Code Sections 215.602(b)(1), 215.920(b), 215.940(b), and 215.960(b). The United States Environmental Protection Agency intends to further revise these sections of the Generic Rule as part of the Federal Implementation Plan.

An examination of the relevant Clean Air Act sections makes it very clear that the Agency's assertion that the Clean Air Act requires these rules is correct. Section 110(a)(1) contains the general SIP requirement:

> Each State shall ... adopt and submit to the Administrator ... a plan which provides for implementation, maintenance, and enforcement of such primary standard in each air quality control region (or portion thereof) within such State....

Section 129(c) of Public Law 95-95, an uncodified portion of the 1977 Clean Air Act Amendments, reaffirms this obligation with respect to what is called the "1982 SIP submittal" for extension areas such as those in Illinois, explicitly requiring that extension areas must meet the requirements of 172(b) of the Clean Air Act:

> ...for purposes of section 110(a)(2) of the Clean Air Act each State in which there is any nonattainment area (as defined in part D of title I of the Clean Air Act) shall adopt and submit an implementation plan revision which meets the requirements of section 110(a)(2)(I) and part D of title I of the Clean Air Act not later than January 1, 1979. In the case of any State for which a plan revision adopted and submitted before such date has made the demonstration required under section 172(a)(2) of the Clean Air Act (respecting impossibility of attainment before 1983), such State shall adopt and submit to the Administrator a plan revision before July 1, 1982, which meets the requirements of section 172(b) and (c) of such Act.

Finally, Section 172(b) of the Clean Air Act explicitly requires that the State's SIP must include reasonably available control technology (RACT) requirements:

> (3) require, in the interim, reasonable further progress (as defined in section 171(1)) including such reduction in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of reasonably available control technology;

The Board should note that it has not been asserted by any participant that a SOCMI rule and a Generic rule are not required by the Clean Air Act for the State's SIP. In fact, there appears to be complete agreement that such rules are required and the Board itself has previously adopted rules for both categories.

The Board must understand that, under Section 28.2(a), the federal requirement which establishes these rules as required rules is not contained in SIP call letters, the "blue book", federal letters or settlement agreements. There is no reference to any of these items in Section 28.2(a). The requirement which establishes these rules as required rules is contained in the Clean Air Act, which is clearly and explicitly

stated in Section 28.2(a) as the basis for such a certification. As noted above, this is clearly the basis for the Agency's certification.

SIP call letters, the blue book, federal letters and settlement agreements all may play a supporting rule in determining whether a proposal "fully meets" the requirements of the Clean Air Act pursuant to subsection (b). They constitute evidence for the Board to use in determining what is needed under federal law, a burden the Board has in adopting a rule. Furthermore, even if, as the Board incorrectly asserts, it must be shown that a rule is required by "federal law" in order to be certified as a required rule, surely the Clean Air Act would qualify as federal law.

The Agency notes that some of the "thorough analysis" the Board relies on in reaching its decision is completely insubstantial. What difference does it make if a letter was "solicited" from USEPA? (Order, page 2) Solicitation of a letter has nothing to do with the merit of its contents. Does not the Board in fact solicit, even force via its procedural rules, parties to state their positions in writing? The Agency points out that this letter was not an isolated or unsupported document in the Record of this proceeding. USEPA representatives appeared at hearing in this proceeding and testified about, and were cross-examined regarding, the contents of the letter. (Transcript, Hearing of December 14, 1989, pages 265-415). Furthermore, IERG itself had solicited the attendance of USEPA representatives through a formal motion to the Board ("Motion of IERG Requesting USEPA Attendance at Hearings", November 20, 1989) and then later stated on the record its appreciation to USEPA for its testimony and participation (Transcript, Hearing of December

14, 1989, page 309). The Board also stated on the record its gratitude to USEPA for its testimony and participation. (Transcript, Hearing of December 14, 1989, pages 265 and 415). The Agency urges the Board to pay more attention to the substance of the document.

In addition, why all the fuss about a mid-level federal employee? The Agency has never heard of a company rejecting a permit because it was signed by a mid-level employee. Furthermore, all the discussion about the scope of the Board's authority regarding economic and technical feasibility has nothing to do with whether a rule is a required rule. In passing, the Agency notes the Board also incorrectly stated the Agency's position on that issue. The Agency has not stated that once it certifies a rule as a "required rule" the Board must adopt a rule without any consideration of economic reasonableness or technical feasibility. However, that issue is not presented and is not even material to the issue of what is a required rule. The Board itself so states in its Order. (Order, pages 6-7)

The Board should also take note that the "thorough analysis" upon which the Board explicitly relies never once mentions nonattainment of the ozone NAAQS or the relevant Clean Air Act sections which form the basis of the Agency certification.

CONSEQUENCES

The Agency emphasizes to the Board that the consequences of its decision for the State are very serious. The Board's error in deciding it had authority to review the Agency's certification is disruptive to the rulemaking reform effort in the State. Its second error in deter-

mining the Generic rule and SOCMI rule are not required rules is even more serious, and compounds the first error.

The major focus in the development of Section 28.2 was to develop a rulemaking process which would allow Illinois to comply with the requirements of the Clean Air Act. It is true that other federal acts were included in the scope of Section 28.2, but the State's problem in coping with the requirements of the Clean Air Act was the driving force. The goal was to create a process for SIP development which could cope with the federal deadlines for SIP submittal. The Board, by its Order in this proceeding, may be effectively removing the entire SIP development process from the Section 28.2 rulemaking framework. This leads to a critical concern about whether Section 28.2 will be useless in assisting the State in complying with the requirements of the Clean Air Act, and raises questions as to whether the State will be able to adopt SIP rules in a manner which allows the State to comply with federal deadlines.

For these reasons, the Agency emphasizes to the Board that it could not have been the intention of the legislature in adopting Section 28.2 to create a legislative framework for complying with federal law which frustrates, and perhaps prevents, compliance by the State with that federal law.

The Board decision leaves the Agency and the State of Illinois with only two options if the Section 28.2 process is to have any usefulness at all, i.e. file a motion for reconsideration or appeal.

The Agency intends to pursue these options, if necessary, in order to preserve the goals which the adoption of P.A. 85-1048, effective January 1, 1989, was intended to accomplish in the first place.

CONCLUSION

For the foregoing reasons the Agency strongly urges the Board to reconsider and void its Order of February 8, 1990. The Agency urges the Board to instead find that it has no authority to review Agency certifications, redocket the Generic and SOCMI rules as required rules under Section 28.2, and proceed to Second Notices on these rules.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: _____
ROBERT C. SHARPE

DATED: March 14, 1990

Delbert Haschemeyer
Robert C. Sharpe
John Kenneth Peek
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
2200 Churchill Road, P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

RCS:mm/48-3

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Motion to Reconsider

upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Ms. Dorothy M. Gunn, Clerk
Illlinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(AIRBORNE EXPRESS)

Dan L. Siegfried, Hearing Officer
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(AIRBORNE EXPRESS)

PERSONS ON ATTACHED LIST
(FIRST CLASS MAIL)

and mailing it from Springfield, Illinois on March 14,
19 90, with sufficient postage affixed as indicated above.

Dorothy M Gunn

SUBSCRIBED AND SWORN TO BEFORE ME
this 14th day of March, 1990.

Barbara K. McGee
Notary Public

OFFICIAL SEAL
BARBARA K. McGEE
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4-13-91

NOTICE LIST

Mr. Clifton A. Lake
McBride Baker & Coles
Northwestern Atrium Center
500 West Madison Street, 40th Floor
Chicago, Illinois 60606

Mr. David A. Sykuta
Executive Director
Illinois Petroleum Council
P.O. Box 12047
300 West Edwards Street
Springfield, Illinois 62791

Mr. Michael Arndt
Chicago Tribune
435 North Mighigan Avenue
Chicago, Illinois 60611

Ms. Linda Brand
Dept. of Commerce & Community Affairs
Small Business Office
620 East Adams
Springfield, Illinois 62701

Mr. Jeffrey C. Fort
Gardner Carton & Douglas
Quaker Tower
321 North Clark Street
Suite 3400
Chicago, Illinois 60610-4795

Mr. Ron Cardoni
Illinois Petroleum Council
300 West Edwards Street
Srpingfield, Illinois 62701

Mr. Steve Dwyer
National Petroleum News
950 Lee Street
Des Plaines, Illinois 60016

Ms. Maribeth Flowers
Gardner Carton & Douglas
Quaker Tower
321 North Clark Street
Suite 3400
Chicago, Illinois 60610-4795

Ms. Katherine Hodge
Illinois State Chamber of Commerce
Environmental Regulatory Group
215 East Admas Street
Springfield, Illinois 62701

Mr. John Krikwood
Executive Director
Chicago Lung Association
1440 West Washington Street
Chicago, Illinois 60607

Mr. Roy M. Harsch
Gardner Carton & Douglas
Quaker Tower
321 North Clark Street
Suite 3400
Chicago, Illinois 60610-4795

Mr. Paul Merrion
Crians Chicago Business
814 National Press Plaza
Washington, DC 20045

Ms. Karen Witter, Director
Department of Energy & Natural Resources
325 West ADmas, Room 300
Springfield, Illinois 62706

Ms. Christine Zeman
Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

Ms. Mary C. Bryant
Pope, Ballard, Shepard & Fowle, Ltd
Attorneys at Law
69 West Washington Street
Chicago, Illinois 60602-3069

Mr. David Mueller
Scott, Gottleib & Schwartz
200 East Randolph Street
Suite 6900
Chicago, Illinois 60601

Mr. Petter Dennis
Hazardnet, Inc.
P.O. Box 404
Frankfurt, Illinois 60423

Mr. Joseph R. Podlewski, Jr.

Rosenthal and Schanfield
55 East Monroe Street
45th Floor
Chicago, Illinois 60603

Mr. Ray Batina
18906 Jonathan Lane
Homewood, Illinois 60430

Mr. Mike Maher
McKenna, Storer, Rowe, White & Farrug
200 North LaSalle Street
29th Floor
Chicago, Illinois 60601

Mr. Keith Immke, Esq.
Office of the Fire Marshall
3150 Executive Park Drive
Springfield, Illinois 62703-4599

Mr. Dan Muno
Stepan Company
22500 West Millsdale Road
Elwood, Illinois 60421

Mr. Richard Fentem
Lauhoff Grain Company
321 North Street
Danville, Illinois 61832

Ms. Leslie Hanson
JM Huber Corporation
333 Tornall Street
Edison, NJ 08818

Ms. Susan Schroeder
Illinois Environmental Protection Agency
2200 Churchill Street
Springfield, Illinois 62706

Ms. Peg Hopkins
Environmental Control Engineer
Stationary Source Environmental Control Office
Ford Motor Company
15201 Century Drive
Dearborn, Michigan 48120

Mr. Randolph Cano
USEPA
230 South Dearborn Street
Chicago, Illinois 60604

Mr. James Harrington
Ross & Hardies
150 North Michigan Avenue
Suite 2500
Chicago, Illinois 60601

Mr. Philip Nowers, Executive Director
Association of Reproduction Material Manufacturers
901 North Washinton Street., Suite 509
Alexandria, VA 22314

Ms. Percy Angelo
Mayer, Brown & Platt
190 South LaSalle
Chicago, Illinois 60603

Ms. Bonnie Meyer
Department of Energy and
Natural Resources
325 West Adams, Room 300
Springfield, Illinois 62706

Mr. Rober C. Odewald
Viskase Corp.
6855 65th Street
Chicago, Illinois 60638

Mr. Bill Compton
Caterpillar Inc.
100 N.E. Adams Street
Peoria, IL 61629-3315

Mr. Mark Horne
R.R. Donnelley & Sons
750 Warrenville Rd.
Lisle, IL 60532

Mr. Bill Denham
IL ENR
325 W. Adams St. Room 300
Springfield, IL 62704