

Therriault, John

From: Robertson, Daniel
Sent: Monday, February 29, 2016 11:29 AM
To: Therriault, John
Subject: JCAR comment for R16-17 docket

RECEIVED
CLERK'S OFFICE
FEB 29 2016

STATE OF ILLINOIS
Pollution Control Board

From: Eastvold, Jonathan C. [<mailto:JonathanE@ilga.gov>]
Sent: Monday, February 29, 2016 9:30 AM
To: Robertson, Daniel
Subject: Questions for PCB on 101-125

For convenience of reference, I'm going to go ahead and send you the list of questions that I've got. The line numbers are keyed to our r01 version of each Part. Several of these questions span multiple parts, so I've only asked them (I hope) the first time they occur:

Part 101:

- 1) Lines 1083, 1086, 1093: What is the difference between "appealing person" and "appealing participant"? That the Board (on its own motion) counts as a person but not as a participant? I'm confused.
- 2) 1184-1186: Once the provisions of (h)(2) through (4) and (j) are considered, what is left that *can* be filed either in paper or electronically?
- 3) Line 1239: "Up to no more than 2" is redundant. Fix?
- 4) 1253: "electronic seat license" → Do you mean "single seat license"? Should we define?
- 5) Generally:
 - a. Why set a 14-day timeline (as opposed to 7 or 30 or 60)?
 - b. Why would PCB not hold a hearing in the county to which the hearing pertains? What does "consistent with any applicable law and the Board's resources" mean? How does the Board interpret "within the area of the State concerned" in the second paragraph of Section 28(a) of the Pollution Control Act?
 - c. Why allow CAA/SIP hearing notices to be published in the *Illinois Register* rather than in newspapers? Is the readership of the *Register* higher among potential hearing attendees for this topic than other PCB hearing topics? How does this fit within the federal requirements at 40 CFR 51.102(d)(1)?
 - d. Is there any potential for a PCB hearing to count under the Open Meetings Act? Under what circumstances?

Parts 103 and 104:

- 6) How do public notice requirements square with the ones under RCRA?

Part 107:

- 7) Do all siting authorities have the resources to format and convey all this material electronically? Is there a reason that PCB can't accept paper copies and then scan and post them?

Thanks again for all of your help. I look forward to speaking with you.

Jonathan

Jonathan C. Eastvold, Ph.D.
Rules Analyst II
Joint Committee on Administrative Rules
Illinois General Assembly

700 Stratton Building
Springfield, IL 62706

Tel.: 217-785-2254
JonathanE@ilga.gov