

## **Board Amends Rules on Hearings in Identical In Substance Rulemakings**

The Board, on August 5, 2010, adopted an amendment to the Board's procedural rules allowing videoconference hearings in rulemaking proceedings pursuant to Section 7.2 of the Environmental Protection Act (Act) (415 ILCS 5/7.2 (2008)). The rulemaking is docketed as In the Matter of: Proposed Amendment to Procedural Rules on Hearings in Identical in Substances Rulemakings (R10-18).

Traditionally, the Board holds public hearings at one location in rulemakings that amend the definition of volatile organic material (VOM) pursuant to the Act. The Board held those hearings as required by Section 110 of the Clean Air Act 42 U.S.C. § 7410 (2006), which requires the State to conduct a public hearing before submitting an amendment of the State Implementation Plan to the United States Environmental Protection Agency (USEPA) for review and approval. These hearings are generally brief with little to no testimony placed in the report.

Additionally, the Board amended the procedural rules to allow the Board to hold other types of hearings authorized by Section 7.2 of the Act such as underground injection control rules, and underground storage tank rules via videoconference. The Board is not required to hold hearings in these hearings however, there is a possibility that a hearing in the future may serve the public interest.

The Board has the ability to videoconference between the Chicago and Springfield Offices of the Board. The Board believes that holding these types of hearings via videoconference will allow more economical participation by the public and government officials without hampering the proceedings.

On July 13, 2010, the Joint Committee on Administrative Rules issued a Certificate of No Objection to the rule.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office

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