

ILLINOIS POLLUTION CONTROL BOARD

May 7, 2015

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STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
AMENDMENTS TO 35 ILL. ADM. CODE )  
PART 214, SULFUR LIMITATIONS, PART ) R15-21  
217, NITROGEN OXIDES EMISSIONS, ) (Rulemaking - Air)  
AND PART 225, CONTROL OF EMISSIONS )  
FROM LARGE COMBUSTION SOURCES )

NOTICE OF HEARINGS



ORIGINAL

DATE, TIME AND LOCATION:

WEDNESDAY, JULY 8, 2015

9:00 AM  
Sangamo Room  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62794

WEDNESDAY, JULY 29, 2015

10:00 AM  
County Board Chambers  
Will County Executive Office, Second Floor  
302 North Chicago Street  
Joliet, Illinois 60404

TUESDAY, AUGUST 4, 2015

10:30 AM  
Council Chambers  
111 South Capitol Street  
Pekin, Illinois 61554

PURPOSE OF HEARINGS: Merit and Economic  
ATTENDING BOARD MEMBER: Jennifer A. Burke  
HEARING OFFICER: Daniel L. Robertson

## **HEARING OFFICER ORDER**

On April 28, 2015, the Illinois Environmental Protection Agency (Agency) filed a rulemaking generally proposing to control emissions of sulfur dioxide (SO<sub>2</sub>) in and around areas designated as nonattainment with respect to the 2010 SO<sub>2</sub> National Ambient Air Quality Standard (NAAQS). The rulemaking was filed pursuant to Sections 4, 10, 27, 28, and 28.2 of the Environmental Protection Act (Act) (415 ILCS 5/4, 10, 27, 28, 28.2 (2012)) and Section 102.202 of the Board's procedural rules (35 Ill. Adm. Code 102.202).

The Agency states that portions of its proposal are intended to meet certain obligations of Illinois under the federal Clean Air Act (CAA) (42 U.S.C. § 7401 *et seq.*). These provisions are intended to satisfy Illinois' obligation to submit a State Implementation Plan (SIP) to the United States Environmental Protection Agency to address requirements under Sections 172, 191, and 192 of the CAA for sources of SO<sub>2</sub> emissions in areas designated as nonattainment with respect to the 2010 SO<sub>2</sub> NAAQS.

The Agency includes additional proposals that are not federally required "but are intended to aid Illinois' attainment planning efforts with respect to future rounds of attainment designations for the SO<sub>2</sub> NAAQS." The Agency further states that the proposed amendments will (1) establish sulfur content limitations for liquid fuels used by fuel combustion emission units throughout the State; (2) establish SO<sub>2</sub> emission limitations for specific sources impacting a SO<sub>2</sub> nonattainment area; (3) address the conversion of certain coal-fired electric generating units located in or near an SO<sub>2</sub> nonattainment area to fuel other than coal; and (4) correct or update various existing provisions.

The Board will conduct three hearings in order to allow the Agency and any other interested participants the opportunity to present testimony on the merits and economic impact of the proposal. *See* 415 ILCS 5/28(a) (2012). At hearing, all persons who wish to testify will be sworn in and subject to questioning.

### **Pre-Filing Deadlines**

Participants who intend to testify at hearing are urged to pre-file their testimony and are directed to serve pre-filed testimony on all persons on the Service List. Before filing pre-filed testimony or any other document with the Clerk, please check with the Board's Clerk to obtain the most recent version of the Service List.

Testimony for the July 8, 2015 hearing must be pre-filed by June 8, 2015. Questions for the July 8, 2015 hearing must be pre-filed by June 26, 2015.

Testimony for the July 29, 2015 and August 4, 2015 hearings must be pre-filed by July 17, 2015. Questions for the July 29, 2015 and August 4, 2015 hearings must be pre-filed by July 24, 2015.

The "mailbox rule" at 35 Ill. Adm. Code 101.300(b)(2) does not apply to the filing of any pre-filed testimony and the Board's Clerk must receive these documents before the close of

business on these deadlines. Documents may be filed electronically through the Clerk's Office On-Line (COOL) from the Board's web page at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). 35 Ill. Adm. Code 101.302(d). Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

### **Order of Hearing**

At hearing, all pre-filed testimony will be entered into the record as if read. *See* 35 Ill. Adm. Code 102.424(f). The hearing officer intends to begin the hearing by allowing the Agency as the proponent to present the pre-filed testimony of all of its witnesses. A witness may offer a brief summary of pre-filed testimony if he or she wishes to provide one before turning to questions. After the Agency's witnesses address questions from other participants, other persons who have pre-filed testimony will testify. Participants who do not pre-file testimony will be allowed to testify after the conclusion of pre-filed testimony and questions based upon it.

Any participant who wishes to offer a public comment at the hearing will be allowed to do so at the close of pre-filed testimony and questions based upon it. In addition, the Board's procedural rules include an opportunity to file post-hearing comments. *See* 35 Ill. Adm. Code 102.108(b).

### **Service and Notice Lists**

The Service List for this rulemaking is the list of persons who wish to participate actively in this proceeding and receive not only the Board's opinions and orders but also other filings such as pre-filed testimony and public comments. The Notice List includes participants who wish to receive only the Board's opinions and orders and hearing officer orders.

Interested persons may also request electronic notice of filings by providing their e-mail address through COOL under this docket number R15-21. This electronic notice includes notice of the filing of documents that are not typically provided to persons on the Notice List. In addition, COOL provides links to documents filed with the Board and those documents can be viewed, downloaded and printed free of charge as soon as they are posted to the Board's Web site. For more information about the option of electronic notice or COOL, please consult either the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) or John Therriault, the Board's Clerk, at (312) 814-3629.

IT IS SO ORDERED.



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