

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
PROPOSED ISSUANCE OF A )  
CONSTRUCTION PERMIT/PSD ) Site Identification No.: 021060ACB  
APPROVAL TO CHRISTIAN ) Application No.: 05040027  
COUNTY GENERATION, LLC, )  
IN TAYLORVILLE, ILLINOIS )

HEARING OFFICER ORDER

On April 3, 2007, the undersigned Hearing Officer for the Illinois Environmental Protection Agency (“Illinois EPA”) in this matter received a Motion to Re-open Public Comment Period, or in the Alternative, to Allow Late-Filed Public Comment (“Motion”) from Soyland Power Cooperative, Inc. (“Soyland”). The Motion is dated March 30, 2007.

The Motion submitted by Soyland asks the Hearing Officer to either re-open the public comment period for this pending permit application review or, in the alternative, allow Soyland to submit a late-filed public comment. The public comment which Soyland would like the Illinois EPA to consider is attached to the Motion. The Motion provides that the relief requested, i.e., either an extension of the public comment period or acceptance of the late-filed public comment, is warranted since clarification is needed with regard to the status of the Integrated Gasification Combined Cycle technology that is proposed for the Christian County Generation facility.

Further, the Motion provides that the need for the clarification only came to light by virtue of statements made during the public hearing held on this pending permit application, as well as statements included in a decision by the Environmental Appeals

Board dated August 24, 2006. Soyland's late-filed public comments would address the need for clarification.

The public hearing on the subject pending permit application was held on January 11, 2007. The transcript of the hearing was made available to the public in late January 2007. The public comment period expired on February 10, 2007.

The Motion was not submitted to the Hearing Officer until almost two months after the expiration of the public comment period. Further, the reasons provided in the Motion for the need to grant the relief requested relate to testimony and documents that were available to the public before the end of the public comment period.

For these reasons, the Motion is denied.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: \_\_\_\_\_  
John J. Kim  
Hearing Officer  
Division of Legal Counsel

DATED: April 13, 2007

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544  
(217) 782-9807 (Fax)