

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:)
)
The State Implementation Plan)
Submittals for the Chicago)
Illinois 8-Hour Ozone Nonattainment Plan)
)

**Motion to File Summary and Agency
Statement Instanter**

NOW COMES the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys and, moves that the Hearing Officer grant its request to file the Summary and Agency Statement in the above matter instanter. The procedural rules provide that the Illinois EPA shall file a Summary and Agency Statement within 45 days after the record closed. 35 Ill. Adm. Code 164.401(d). As explained below, the filing of the Agency Statement Instanter was inadvertant.

On December 16, 2008, the Illinois Environmental Protection Agency (“Illinois EPA”) held a public hearing in Chicago, Illinois, on the Attainment Demonstration for the 1997 Chicago 8-hour ozone nonattainment area (“NAA”) and the associated motor vehicle emissions budgets. The comment period ended on January 15, 2009 and the Agency summary was due on March 1, 2009.

Following the public hearing, the Illinois EPA received three comments from the public.

Publication of the Illinois EPA’s production of this Summary and Agency Statement was delayed due to a press of business and was inadvertent. No one will be prejudiced by the two week delay in filing.

The Illinois EPA respectfully submits this Motion For Leave to File Instantly and attached Summary and Agency Statement.

Illinois Environmental Protection Agency

A handwritten signature in black ink, appearing to read "Rachel L. Doctors", is written over a horizontal line.

Rachel L. Doctors
Assistant Counsel
Division of Legal Counsel

Dated: March ~~18~~, 2009
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