

ILLINOIS POLLUTION CONTROL BOARD
August 20, 1993

IN THE MATTER OF:)
)
EMERGENCY AMENDMENTS TO THE) R93-15
OPEN-BURNING RULES, 35 ILL.) (Rulemaking)
ADM. CODE 237-121)

CONCURRING OPINION (by J. Anderson):

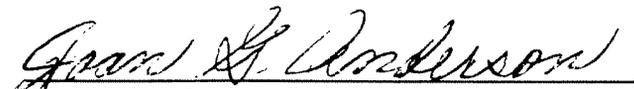
I remain concerned about Section 237.121(d) of this emergency rulemaking. Section 237.121(d) reads:

In an incorporated area, notification is provided to the appropriate fire protection district or fire department prior to burning.

I question why the notification requirement should be required only in incorporated areas, rather than fully encompassing the area within a fire protection district. All areas outside a municipality are not farmland. There are fire protection districts in unincorporated areas that commonly serve well populated areas such as developed subdivisions, some or all of which have not annexed to a municipality.

In that the provision is addressing a public safety concern, the rationale for confining it to municipalities is not apparent to me.

It is for these reasons that I respectfully concur.


Joan G. Anderson

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above concurring opinion was submitted on the 20th day of August, 1993.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board