

ILLINOIS POLLUTION CONTROL BOARD
September 5, 1996

IN THE MATTER OF:)
)
PROCEDURES FOR COLLECTION OF AIR) R97-9
POLLUTION SITE FEES: AMENDMENTS) (Rulemaking - Air)
TO 35 ILL. ADM. CODE 251.)

ORDER OF THE BOARD (by M. McFawn):

On July 18, 1996, the Illinois Environmental Protection Agency (Agency) filed with the Board a proposal for rulemaking regarding procedures for the collection of air pollution site fees under 35 Ill. Adm. Code 251. On September 3, 1996, the Agency filed a motion to withdraw its rulemaking petition.

In support of its motion, the Agency states that the Part 251 regulations, which it seeks to amend, are the Agency's own procedural rules under Title X of the Act. The Agency therefore asserts that the proposed rules should have been filed directly with the Secretary of State as an Agency rulemaking, and should not have been filed as a proposal for rulemaking before the Board.

The motion to withdraw the rulemaking is hereby granted; this docket is closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the ____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board