

ILLINOIS POLLUTION CONTROL BOARD

January 29, 2001

IN THE MATTER OF:)
)
AMENDMENTS TO REGULATION OF) R01-26
PETROLEUM LEAKING UNDERGROUND) (Rulemaking - Land)
STORAGE TANKS:)
35 ILL. ADM. CODE 732)

NOTICE OF HEARINGS

DATES, TIMES, AND PLACES:

FIRST HEARING:

TUESDAY, FEBRUARY 27, 2001

9:00 A.M.

Illinois Pollution Control Board Conference Room
600 S. 2nd Street, Fourth Floor
Springfield, Illinois 62704

SECOND HEARING:

TUESDAY, APRIL 3, 2001

10:00 A.M.

James R. Thompson Center
Room 2-025
100 West Randolph Street
Chicago, Illinois 60601

PURPOSE OF HEARINGS: Merit and Economic

ATTENDING BOARD MEMBER: Nicholas J. Melas

HEARING OFFICER: Joel J. Sternstein
(312) 814-3665
sternstj@ipcb.state.il.us

HEARING OFFICER ORDER:

The Board accepted this matter for hearing on December 21, 2000.

In compliance with the Americans With Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids should contact Dorothy Gunn, Clerk of the Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, at telephone number 312/814-6931, fax number 312/814-3669, or TDD number 312/814-6032, five days prior to the hearing.

The Illinois Environmental Protection Agency (Agency) is proposing amendments to 35 Ill. Adm. Code 732, the Board's regulations addressing petroleum leaking underground storage tanks. These regulations, adopted pursuant to Section 57.14(b) of the Environmental Protection Act (415 ILCS 5/57.14(b)), prescribe procedures and standards for the Agency's administration of its duties under the Underground Storage Tank (UST) Program. The amendments that the Agency is proposing are intended primarily to clarify and refine certain provisions, taking into account the experience the Agency has gained in administering the UST Program and changes in the law since its adoption. Included in the proposed amendments is the addition of methyl tertiary butyl ether (MTBE) as an indicator contaminant in gasoline, in response to increased national health concerns. The Agency is proposing to recognize the role of licensed professional geologists in UST site evaluations. It is also proposing to let only accredited laboratories perform quantitative analyses of samples for use in UST remediation projects. Persons interested in obtaining a copy of the Agency's proposed language in Docket R01-26 can find it at the Board's World Wide Web site (www.ipcb.state.il.us).

Two hearings are scheduled. Prefiling of testimony is strongly encouraged but not required. For the first hearing, all prefiled testimony must be received by the Board on or before 4:30 pm on Tuesday, February 20, 2001. Parties who chose to prefile testimony are reminded that the Board's Clerk's Office will not be open on Monday, February 19, 2001 (Washington's Birthday). For the second hearing, all prefiled testimony must be received by the Board on or before 4:30 pm on Tuesday, March 27, 2001. The "mailbox rule" as set forth in 35 Ill. Adm. Code 101.300(b)(2) does not apply to either of these filings.¹ Prefiled testimony must be sent simultaneously to all persons on the Service List. Persons may receive a copy of the Service List by contacting the hearing officer or the Clerk's Office.

The Board will reserve time at the second hearing on April 3, 2001, for testimony regarding economic impact considerations.

The Board has scheduled concurrent hearings in two other matters that may be of interest to persons on the R01-26 notice list. In Docket R01-14, Proposed MTBE Groundwater Quality Standards Amendments: 35 Ill. Adm. Code 620, the Agency is proposing MTBE parameters for groundwater and amendments to assure protection of certain existing drinking water supply wells. Persons interested in Docket R01-14 should contact Hearing Officer Joel Sternstein for more information and to be placed on the notice/service lists.

In Docket R01-27, Site Remediation Program Amendments: 35 Ill. Adm. Code 740, the Agency is proposing to update and clarify the existing Site Remediation Program and add MTBE to the Volatile Organics Analytical Parameters list in the Appendix. Persons interested in Docket R01-27 should contact Hearing Officer Bobb Beauchamp for more information or to be placed on the notice/service lists. Mr. Beauchamp can be reached by phone at (312) 814-6926, by email at beauchab@ipcb.state.il.us, or by mail at Illinois Pollution Control Board, James R. Thompson Center, 100 W. Randolph St., Suite 11-500, Chicago, IL 60601.

¹ The Board's new procedural rules went into effect on January 1, 2001.

The text of the Agency proposals for Dockets R01-14 and R01-27 is on the Board's Web site.

IT IS SO ORDERED.

Joel J. Sternstein
Hearing Officer