

ILLINOIS POLLUTION CONTROL BOARD
November 15, 2001

IN THE MATTER OF:)
)
WASTEWATER PRETREATMENT) R02-3
UPDATE, USEPA AMENDMENTS) (Identical-in-Substance
(January 1, 2001 through June 30, 2001)) Rulemaking - Public Water Supply)

Proposed Rule. Proposal for Public Comment.

ORDER OF THE BOARD (by N.J. Melas):

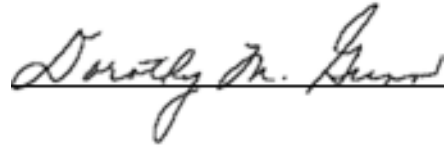
The Board received a motion for expedited consideration from the Illinois Environmental Protection Agency (Agency) and the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) on October 31, 2001. By that motion, the Agency and the MWRDGC requested that the Board expedite consideration of certain amendments adopted by United States Environmental Protection Agency (USEPA) on October 3, 2001. Those federal amendments are intended to implement the federal Project eXcellence and Leadership (Project XL). The joint motion requested that the Board incorporate the October 3, 2001 federal amendments into the wastewater pretreatment amendments proposed by the Board in Wastewater Pretreatment Update, USEPA Amendments (January 1, 2001 through June 30, 2001), R02-3 (October 4, 2001).

The Board has considered the joint motion for expedited consideration, and we will grant the motion by considering the federal amendments of October 3, 2001, under a separate wastewater pretreatment update docket, R02-9, opened in a separate order today.

We will not consider the federal amendments in this docket, R02-3. The Notice of Proposed Amendments for the R02-3 proceeding has already appeared in the *Illinois Register*, on October 26, 2001 (at 25 Ill. Reg. 13373). The R02-3 proceeding further involves a very narrow subject matter that is distinct from the federal amendments of October 3, 2001: a single set of federal technical corrections to the test procedures for determination of mercury in water and wastewater, adopted by USEPA on June 18, 2001 (at 66 Fed. Reg. 32774). It will require only an update of the version of 40 C.F.R. 136 incorporated by reference in 35 Ill. Adm. Code 310.107. Opening a separate docket to handle the Project XL rules is the more appropriate action under these circumstances.

For the foregoing reasons, the Board hereby grants expedited consideration of the federal amendments of October 3, 2001, by opening a new docket, R02-9, to consider that federal action. However, the Board declines to introduce the subject matter of the October 3, 2001 federal amendments into this docket, R02-3.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do certify that the Board adopted the above order on November 15, 2001, by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board