

ILLINOIS POLLUTION CONTROL BOARD

August 11, 1994

IN THE MATTER OF:)
)
REGULATION OF PETROLEUM) R94-2(B)
LEAKING UNDERGROUND STORAGE) (Rulemaking)
TANKS: 35 ILL. ADM. CODE 732)
(Pursuant to P.A. 88-496))

ORDER OF THE BOARD (by C. A. Manning, J. Theodore Meyer, and M. McFawn):

Today, in a companion opinion and order in R94-2, the Board granted the Underground Storage Tank Advisory Committee's (USTAC) June 1, 1994 motion to sever the docket. By this order, we open a subdocket, R94-2(B), in this proceeding.¹

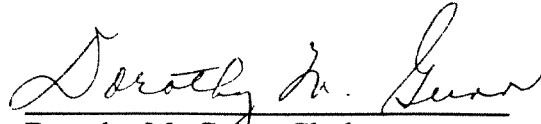
As we noted in the accompanying second notice opinion and order, USTAC asked the Board to sever the docket and create a subdocket to allow more time for the development of objective, risk-based soil remediation numbers and/or a matrix. The Board granted that motion, and this subdocket is hereby established in order to develop risk-based soil remediation cleanup objectives. We will also entertain issues of further site-specific classification and risk analysis based on groundwater and its potential uses; the standard "No Further Remediation" letter; and the concern raised by the Illinois Department of Transportation regarding the placement of monitoring wells. Additionally, the Board will consider any other issues necessary to the promulgation of a clear and complete rule. However, the Board does not intend to reconsider issues which we have already resolved, unless necessitated by an intervening statutory change.

The Board recognizes that the issues in this docket R94-2(B) must be resolved as quickly as possible, and we will proceed as expeditiously as possible with this portion of the rulemaking. Further direction on the progress of the rulemaking, including a hearing schedule and the opportunity for interested persons to submit proposed rules, will be set forth in a hearing officer order to be issued shortly.

IT IS SO ORDERED.

¹ The underlying docket, which is sent to second notice today, will now be known as R94-2(A). The entire record of R94-2(A) is hereby incorporated into this docket B.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17th day of August, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board