

ILLINOIS POLLUTION CONTROL BOARD
October 21, 1993

IN THE MATTER OF:)
)
STAGE II VAPOR RECOVERY IN) R93-28
THE METRO-EAST AREA: REPEAL) (Rulemaking)
OF 35 ILL. ADM. 219.586)

ORDER OF THE BOARD (by R.C. Flemal):

On October 21, 1993 the Illinois Environmental Protection Agency (Agency) filed a rulemaking petition in which it proposes that the Board repeal the Stage II vapor recovery controls applicable in the Metro-East area (Madison, Monroe, and St. Clair Counties).

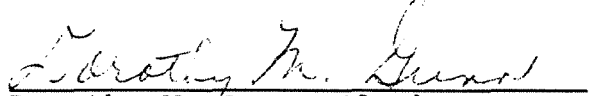
After a review of the proposal, the Board finds that the proposal substantially meets the requirements of the Environmental Protection Act (Act) (415 ILCS 5/1 et seq.) and the Board's procedural rules. The hearing officer is authorized and directed to require the Agency to provide any additional information which may be necessary. The proposal is accepted for hearing.

The Agency has filed several motions with the proposal. The Agency asks that the Board waive several requirements which govern the filing of a regulatory proposal. Specifically, the Agency asks that it need not supply the Attorney General with a complete copy or the Department of Energy and Natural Resources (DENR) with an entire copy of the proposal. The Board grants the Agency's motion. Because the Attorney General has agreed to accept a partial copy of the proposal, and the DENR has agreed not to receive a copy, the Agency need not serve a complete copy on the Attorney General or an entire copy on DENR.

The Agency has also submitted a motion for expedited hearing, based upon its statement that repeal should be accomplished as quickly as possible to mitigate questions of enforceability of the current rule. The Board grants the motion for expedited hearing and will proceed as quickly as possible, within the constraints of notice, publication, and hearing requirements imposed by several statutes.

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 21st day of October, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board