

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
December 20, 1990

IN THE MATTER OF: )  
 )  
AMENDMENTS TO THE DEVELOPMENT, ) R90-25  
OPERATING AND REPORTING ) (Rulemaking)  
REQUIREMENTS FOR NON-HAZARDOUS )  
WASTE LANDFILLS: 35 ILL. )  
ADM. CODE 811 )

ORDER OF THE BOARD (by J. Anderson):

On November 29, 1990, the Illinois Utility Group ("Utility Group") filed a proposal for rulemaking that seeks to amend the development, operating, and reporting requirements for non-hazardous waste landfills. While the proposal satisfies many of the informational and content requirements of 35 Ill. Adm. Code 102.121, it is deficient in that:

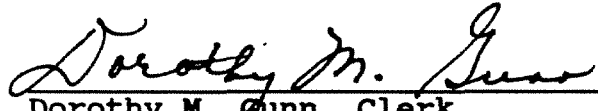
- 1) The petition does not contain any information on the economic impact of the proposed rule, or address the questions contained in the Analysis of Economic and Budgetary Effects questionnaire, as required by Section 102.121(c). The Board is usually required to submit this information to the Joint Committee on Administrative Rules whether one or many sources are affected by a rulemaking.
- 2) the Utility Group states that much of the information generated in the prior Economic Impact Study ("EcIS") in R88-7 is applicable to the instant proposal. The Utility Group, has not specified which EcIS-related information it is referring to, nor does it include any copies of such material (if it is to be incorporated by reference in this proceeding), as required by Section 102.121(f).

This petition will not be accepted for hearing within the meaning of Section 28 of the Act until the above deficiencies are cured. If the Utility Group fails to file supplemental materials curing the above-noted deficiencies on or before February 4, 1991, this petition will be subject to dismissal. As a final note, the Utility Group requests that the Board waive the 200 signature requirement of 35 Ill. Adm. Code 102.121(h). We hereby grant the request.

IT IS SO ORDERED.

Board Member J. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certifies that the above Order was adopted on the 20<sup>th</sup> day of December, 1990, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board