

ILLINOIS POLLUTION CONTROL BOARD
December 15, 1988

IN THE MATTER OF:)
)
AMENDMENTS TO CHAPTER 2) R79-14
POLLUTION CONTROL BOARD)
RULES AND REGULATIONS)

ORDER OF THE BOARD (by J.D. Dumelle):

The Illinois Environmental Protection Agency (Agency) filed the above-entitled proposal with the Pollution Control Board (Board) on December 24, 1979. Hearings were held on October 22, 23, 1980, December 10, 1980, January 11, 1982, January 21, 1983, February 7, 1983, and April 17, 1987. On September 30, 1986 the Department of Energy and Natural Resources filed a negative declaration, stating that the preparation of an economic impact statement (EcIS) was not necessary. The Economic and Technical Advisory Committee filed its concurrence on the finding that an EcIS is not necessary on December 20, 1986.

When originally submitted in 1979, the proposed amendments to the Air Pollution Rules were intended "primarily to clarify and streamline present requirements and to eliminate or modify certain requirements in order to increase efficiency and reduce the burden on industry due to unnecessary or marginally useful requirements." The Agency proposal was to amend the Board rules as the rules existed at that time. However, in 1984, codification of the Board Rules was completed. As a result, on October 29, 1985, the Agency submitted an amended proposal which attempted to harmonize the substance of the proposal with the codified version of the rules. In addition, the Agency incorporated amendments necessitated by changes in federal regulations. On January 8, 1986, the Agency filed a corrected version of its amended proposal. Since that time, nothing new has been added to the proposal.

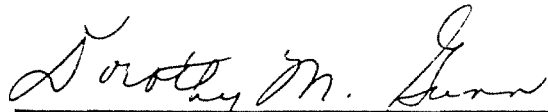
Unfortunately, the Board has been unable to act on this rulemaking until only very recently. The Board has reviewed the record and has determined that this proposal aimed at "cleaning-up" the Air Pollution Regulations itself need cleaning-up. Because the Board has devoted much of its attention to adopting the numerous RACT and other air rulemakings, the state of the air pollution regulations has changed significantly since the filing of the most recent proposal in this proceeding almost three years ago. Moreover, USEPA has adopted amendments to the federal regulations which affect the currentness of the proposal. Thus, it has become apparent that a thorough review of the proposal is in order which addresses the impact of subsequent events, both

state and federal. The Board is aware that the Agency has expended great effort in reviewing and updating the air pollution regulations and is in the process of preparing a new proposal for submission.

Because the Board believes that the new proposal will significantly differ from the R79-14 proposal, the Board sees no reason to retain docket number R79-14 and will open a new docket upon submission of the new proposal. The Board will consider incorporating from this docket evidence and material relevant to the updated proposal into the new docket. The Board requests comment on which materials would be appropriate for incorporation at the time of filing of the new docket. The instant docket is dismissed.

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 15th day of November, 1988 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board