

ILLINOIS POLLUTION CONTROL BOARD
July 11, 1986

IN THE MATTER OF:)
)
PETITION FOR SITE-SPECIFIC) R 86-25
RULE CHANGE FOR THE VILLAGE)
OF TILTON)

ORDER OF THE BOARD (by J. Marlin):


By Order of June 20, 1986, the Board found that the Village's June 11, 1986 petition failed to meet the information requirements of 35 Ill. Adm. Code 102.120, and directed that an amended petition be filed. The Village's attention was also drawn to the Board's revised procedural rules proposed, but not yet adopted, in R82-27, 36 and R83-37.

On June 23, 1986, the Agency moved for dismissal of the petition for deficiency, to which the Village filed a response on June 30. As the Board had addressed the Agency's concerns prior to its receipt of the Agency's motion, the motion is denied as moot.

The Board, however, continues to require the filing of an adequate amended petition prior to scheduling any hearings in this matter. This is procedurally preferable to the alternative suggested by the Village, that additional information "can be obtained by the Agency through the pre-hearing conference or through the [Board's] discovery procedures"; to require adherence to the formal, contested case discovery procedures in a rulemaking would be to generate needless paperwork for all concerned.

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 11th day of July, 1986 by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board