

ILLINOIS POLLUTION CONTROL BOARD

January 7, 1999

IN THE MATTER OF:)
)
REGULATED RECHARGE AREA) R99-19
DESIGNATION, DURAND, WINNEBAGO) (Rulemaking - Water)
COUNTY)

ORDER OF THE BOARD (by G.T. Girard):

On December 14, 1998, the Board received a request from a citizen that the Board "establish" a regulated recharge area in the areas south of Durand, Winnebago County, Illinois. The Board docketed this request as a rulemaking pursuant to Section 17.4 of the Illinois Environmental Protection Act (Act). 415 ILCS 5/17.4.

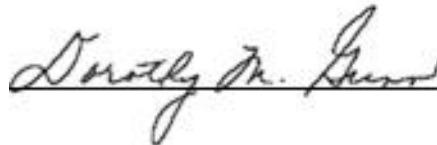
The Board cannot accept for hearing this request as currently proposed. The procedures for establishing a regulated recharge area are set forth in Sections 17.2, 17.3, and 17.4 of the Act. 415 ILCS 5/17.2-4. Under Section 17.2(b), the Illinois Environmental Protection Agency (Agency) is charged with establishing regional planning committees for each priority groundwater protection planning region. The regional planning committees have specific responsibilities (Section 17.2(c)(1-5)) which include "recommending to the Agency whether there is a need for regional protection pursuant to Section 17.3." Section 17.2(c)(5). Section 17.3 specifies the procedures for the Agency to follow when proposing to the Board a regulation establishing the boundary for a regulated recharge area if certain conditions exist.

Therefore, the Board cannot accept for hearing this request because it does not follow the procedures set forth in Sections 17.2, 17.3, and 17.4 of the Act. The Board will forward a copy of the request, and a copy of this Board order, to the Agency.

This docket is closed.

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 7th day of January 1999 by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board