

ILLINOIS POLLUTION CONTROL BOARD
November 8, 2004

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
STANDARDS FOR UNIVERSAL WASTE) R05-8
MANAGEMENT, AMENDMENTS TO 35) (Rulemaking - Land)
ILL. ADM. CODE 703, 720, 721, 724, 725,)
728, and 733)

NOTICE OF HEARINGS

DATES, TIMES, AND PLACE:

FIRST HEARING DECEMBER 15, 2004

10:00 a.m.
Room 8-033
100 W. Randolph Street
James R. Thompson Center
Chicago, Illinois 60601

SECOND HEARING JANUARY 6, 2005

1:30 p.m.
Illinois Environmental Protection Agency Office Building
Training Room, 1214 West
1021 N. Grand Avenue East, North Entrance
Springfield, Illinois 62794

PURPOSE OF HEARINGS: Merit and Economic

ATTENDING BOARD MEMBERS: J. Phillip Novak
G. Tanner Girard

HEARING OFFICER: Marie E. Tipsord

HEARING OFFICER ORDER

On October 19, 2004, the Illinois Environmental Protection Agency (Agency) filed a proposal for rulemaking pursuant to Sections 27 and 28 of Environmental Protection Act (Act) (415 ILCS 5/27 and 28 (2002)) and Public Act 93-964. The Agency proposes to amend the Board's rules governing the standards for universal waste management found in the Board's existing rules at 35 Ill. Adm. Code 703, 720, 721, 724, 725, 728, and 733.

In compliance with the Americans with Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact Dorothy Gunn, Clerk of the Board, at 100 West Randolph St., Suite 11-500, Chicago, Illinois 60601, at telephone number 312/814-6931, fax number 312/814-3669, or TDD number 312/814-6032, five days prior to the hearing.

Public Act 93-964 became effective on August 20, 2004. The Agency was required to propose within 60 days of the effective date of Public Act 93-964, rules that designate mercury switches, mercury relays, and scientific instruments and instructional equipment containing mercury added during their manufacture as universal waste. The Board is required to adopt the rules on or before April 15, 2005.

Due to the stringent timeframe for final adoption, the Board set forth a specific timeframe for proceeding with this rule. To ensure that the Board completes the rulemaking in that timeframe, the comment period for this rulemaking will close by January 20, 2005. The Board will ask for an expedited transcript from the hearing to be held on January 6, 2005. Both hearings will be conducted to allow the Agency and all other interested parties the opportunity to present testimony on the proposed rules. The order of the first hearing will be:

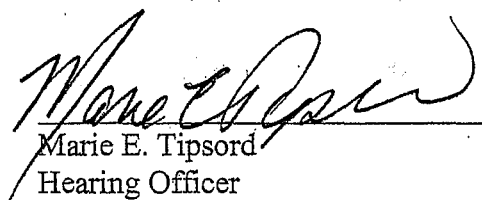
1. Opening statements;
2. Testimony by the Agency; and
3. Questions of the Agency.

The order of the second hearing will be determined at the beginning of the second hearing.

The "Notice List" is the list of interested persons who wish to receive only the Board's opinions and orders and hearing officer orders in this proceeding. The "Service List" is persons who wish to participate in the proceeding and receive all prefiled testimony and to be participants of record. To be placed on either the "Notice List" or the "Service List" contact the hearing officer at the address or phone number below.

Persons who plan to testify must prefile their testimony. The Agency shall prefile testimony for the December 15, 2004 hearing by December 8, 2004 and testimony for the January 6, 2005 hearing shall be filed by December 30, 2004. That testimony will be available either on the Board's web page at www.ipcb.state.il.us or by contacting the hearing officer.

IT IS SO ORDERED.


Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-4925

MEMORANDUM

TO: Standards For Universal Waste Management, Amendments To 35 Ill. Adm. Code
703, 720, 721, 724, 725, 728, and 733 Notice List

FROM: Illinois Pollution Control Board

RE: Creation of the Notice and Service List for R05-8

DATE: November 8, 2004

The Board is attempting to establish a list of interested person who wish to receive the Board opinions and orders and hearing officer orders in this proceeding (the "Notice List"). In addition, the Board must establish a list of person who wish to participate in the proceeding and receive all prefiled testimony, as well as any motions or appearances filed in this matter (the "Service List").

In order to ensure that all interested persons appear on the proper list we ask that you return the form below and indicate whether you wish to be placed on the Notice List or the Service List. Anyone who has already filed an appearance or who files an appearance will be automatically placed on the service list and will not be removed. The form should be returned to the address or fax number listed below by December 13, 2004 or your name will be removed from both lists:

Illinois Pollution Control Board
Attention: Sandy Wiley
100 W. Randolph Suite 11-500
Chicago, Illinois 60601
Fax (312) 814-3669

I wish to be place on the Board's R05-08: Notice List Service List

Name: _____

Business: _____

Address: _____

City, State, Zip: _____