

ILLINOIS POLLUTION CONTROL BOARD
April 18, 1985

IN THE MATTER OF:)
Permit Requirements and)
Operating Standards for)
Owners and Operators of) R84-17
Class I and Class II Landfills,) Docket A
and for Generators and Haulers) Docket B
of Special Waste) (consolidated)

ORDER OF THE BOARD (by J. Anderson):

The R84-17 docket was initiated upon the Agency's May 31, 1984 filing of a preliminary set of draft regulations intended to replace unspecified parts of former Chapters 7 and 9, the Board's Solid Waste Regulations, Special Waste Hauling and Hazardous Hospital Waste Regulations, now codified as 35 Ill. Adm. Code Parts 807 and 809. Inquiry hearings were held July 25 and August 7, 1984. Numerous public comments have been received since that time.

By Resolution of December 6, 1984 the Board noted that no revised Agency draft had been received, announced that resources of the Board's new Scientific/Technical Support Section would be committed to development of Board proposals in the non-hazardous waste area, and invited the filing of proposals alternative to the Agency's proposal.

On April 4, 1985 the Illinois State Chamber of Commerce filed a 38 page alternative proposal and statement of reasons. The Board will accept this proposal, waiving the requirement of 200 signatures, and will initially schedule two merit hearings. To avoid confusion the Board will denominate the Agency's May 31, 1984 draft regulations and the hearing record concerning it as R84-17, Docket A. The State Chamber's proposal and the hearing record concerning it will be called R84-17, Docket B. Recognizing, however, the cumulative nature of this proceeding, the record in Docket A is incorporated into that of Docket B and the dockets are consolidated. Any additional alternative proposals will proceed as sequential subdockets.

Prior to proceeding to hearing, however, the Board will require the filing of an amended proposal clarifying scope and intent. As previously noted, this rulemaking has generated a great deal of public interest, and the Board would anticipate a number of participants at hearing. The form in which the State Chamber has filed its proposal is not as clear as is desirable to facilitate an efficient hearing. It would appear that the proposal is intended to replace existing Parts 807 and 809 in their entirety except for that portion pertaining to hazardous hospital wastes and the newly adopted Subpart E and F rules for closure and post-closure care and financial assurance therefor;

if so, the proposal should so state. It would also appear that the proposal adopts some of the language of existing parts verbatim, amends some of the existing language, and, of course, contains entirely new language. The Board requests that the proposal be amended to identify identical, amended, and new language in some fashion. The Board further requests that this amendment be filed on or before May 15, 1985, to allow for dissemination of the proposal, analysis by interested persons, and scheduling of hearings in June.

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 18th day of April, 1985 by a vote of 5-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board