

ILLINOIS POLLUTION CONTROL BOARD
February 26, 1976

IN THE MATTER OF)
AIR POLLUTION EMISSION)
STANDARDS FOR INCINERATORS) R75-13
BURNING EXPLOSIVE WASTES)

ORDER OF THE BOARD (by Mr. Dumelle):

Petition to Amend Regulations was received October 14, 1975. The Board Order of October 30, 1975 referred it to the Illinois Environmental Protection Agency for their comment as to whether they would propose it or recommend that the Board propose it under its own powers. The Petition lacks the 200 or more signatures that would mandate hearings under the statute.

A letter of January 20, 1976 received February 5, 1976 from the Agency Director declines to propose the instant regulation under its own powers. It leaves the matter of possible Board proposal to the Board but states that the Agency does not have the manpower and resources to apply extensive technical input to the matter.

Since the Petition's statement of need contains material with which the Board is not fully familiar, the Board chooses not to propose the requested regulation for public hearings. Petitioner is directed to Section 28 of the Act or may wish to consider utilizing the five-year variance route now added to the Act by amendment.

The Petition is dismissed without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 26th day of February, 1976 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board