

ILLINOIS POLLUTION CONTROL BOARD
January 8, 1981

IN THE MATTER OF:)
)
REPROPOSED AMENDMENTS TO CHAPTER 2,) R77-15,
AIR POLLUTION CONTROL, RULES 201,) R78-14, and
204(c)(1)(A), 204(d), 204(f)(1),) R80-22
204(i) and 205(h).)

ORDER OF THE BOARD (by I. Goodman):

On December 1, 1980 the Board received a proposal by the Illinois Environmental Protection Agency (Agency) to repromulgate remanded Rule 204(c)(1)(A) (see the Board's proceeding R78-14) and to promulgate amendments to certain other air pollution control regulations. The proposal is made pursuant to Section 9.2 of the Illinois Environmental Protection Act and is based upon a recent extensive air quality analysis and a strategy designed to enhance the use of Illinois (high sulfur) coal consistent with the provisions of the Clean Air Act (42 U.S.C. §7401, et seq.) and the Illinois Environmental Protection Act (Ill.Rev.Stat., ch. 111-½, §1001, et seq.).

On August 21, 1980 the Board ordered the dismissal of the remanded rules originally adopted on April 13, 1972 in R71-23 (see Orders in R71-23 and R78-16), including Rule 204(c)(1)(A). The Order was based in part upon a finding that §9.2 of the Illinois Environmental Protection Act as amended mandated the Agency's proposal of appropriate sulfur dioxide-related regulations, and a finding that the record in R71-23 was outdated and would be superseded by the record to be developed in proceedings initiated pursuant to §9.2.

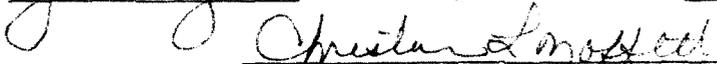
On December 19, 1980 the Board ordered the §9.2 proposal filed under dockets R77-15 and R78-14 to be redocketed as R80-22 and new regulatory proceedings begun. Accordingly, the Board dismisses its proceeding R78-14, which was the remand proceeding of the July 7, 1977 R71-23 repromulgation of Rule 204(c)(1)(A).

The Board orders the Clerk to send copies of this Order to those appearing on the Notice Lists in the matters R77-15, R78-14, R78-15 and R78-16.

The hearing officer is ordered to set hearings on R80-22 as soon as practicable.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 8th day of January, 1981 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board