

ILLINOIS POLLUTION CONTROL BOARD

March 20, 1997

IN MATTER OF:	)	
	)	
REVISION OF THE WASTE DISPOSAL	)	R97-27
RULES: AMENDMENT TO 35 ILL. ADM.	)	(Rulemaking - Land)
CODE 817.101.	)	

ORDER OF THE BOARD (by K. M. Hennessey):

On March 4, 1997, the Illinois Cast Metals Association (ICMA) filed a proposal to amend 35 Ill. Adm. Code 817.101, which is the Scope and Applicability section of Part 817, Requirements for New Steel and Foundry Industry Wastes Landfills. ICMA was one of the proponents of R90-26, wherein the Board adopted the regulations ICMA now seeks to change. At this time, ICMA proposes to expand the applicability of the Part 817 regulations to include non-putrescible wastes produced by steel and foundry processes covered by SIC Codes 3365 and 3366, with the exception of those foundries that pour leaded brass.

ICMA asserts that since the R90-26 rulemaking, certain non-ferrous foundries have determined that their waste streams consistently meet the maximum allowable leaching concentrations (MALC) for beneficially usable waste specified at 35 Ill. Adm. Code 817.105. Based on this information, ICMA maintains that the waste streams from the non-ferrous foundries covered by SIC Codes 3365 and 3366, with the exception of those foundries that pour leaded brass, present no more risk to human health and the environment when properly managed under Part 817 than do the waste streams of ferrous foundries covered by the original rulemaking.

The Board finds that the petition meets the minimum requirements of 35 Ill. Adm. Code 102.160(a) and accordingly accepts the matter for hearing. We hereby direct the hearing officer assigned to this matter to schedule hearings as required pursuant to Title VII of the Illinois Environmental Protection Act (415 ILCS 5/26 et seq.). Due to the brevity of the petition, however, the hearing officer order will also establish a schedule for pre-filed testimony.

In addition, ICMA has filed a motion to waive the requirement of 35 Ill. Adm. Code 102.121(h) that its proposal be accompanied by a petition signed by 200 persons. The motion is granted.

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 \_\_\_\_\_ day of \_\_\_\_\_, 1997, by a vote of \_\_\_\_\_.

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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board