

ILLINOIS POLLUTION CONTROL BOARD
April 5, 1973

IN THE MATTER OF:)
) #R72-5
PROPOSED SOLID WASTE REGULATIONS)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

On March 8, 1973, we denied a Motion to Strike the proposed Solid Waste Regulations filed by the South Suburban Land Development Company, which motion had alleged certain infirmities in the hearing proceedings as a consequence of the failure of the Senate to confirm the appointment of John L. Parker, who had attended the hearings as a Hearing Officer and Board Member.

We have now received a Motion to Vacate our March 8, 1973 Order on the grounds that since John L. Parker is no longer a Member of the Pollution Control Board and unable to participate in the adoption of the proposed Rules and Regulations, the hearings are a nullity.

We find the contention wholly lacking in merit. Such a construction would preclude the adoption of any Regulations at any time when an attending Board Member is no longer a Member of the Board and require adoption before the expiration of the term of any Board Member that was in attendance.

The motion to vacate our March 8, 1972 Order is denied.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 5 day of April, 1973, by a vote of 4 to 0.

Christan Moffett /LK
