

ILLINOIS POLLUTION CONTROL BOARD
July 17, 2019

IN THE MATTER OF)
)
AMENDMENTS TO DEFINITION OF) R18-29 (Subdocket B)
"CLASS 4 ETIOLOGICAL AGENT,") (Rulemaking – Biological Materials)
35 ILL. ADM. CODE 1420.102)

HEARING OFFICER ORDER

This subdocket was opened on February 14, 2019. In the Board's first notice opinion in its rulemaking Amendments to 35 Ill. Adm. Code Subtitle M (R18-29), the Board found that it did not have enough information to amend the definition of "Class 4 etiological agent" in 35 Ill. Adm. Code 1420.102. R18-29, slip op. at 3 (Feb. 14, 2019). The Board opened this subdocket without a specific proposal for consideration. Rather, the Board sought further elaboration on comments and proposals submitted in R18-29. *See e.g.*, R18-29, Illinois Environmental Protection Agency Comments (PC 2) at 1; R18-29, Illinois Health and Hospital Association Comments (PC 4) at 1.

On March 5, 2019, the hearing officer filed an order posing questions for comment and set May 6, 2019 as the deadline for responses. The Board received no comments during that period.

The Board now asks for comment on whether the Board should close this subdocket and keep definition of "Class 4 etiological agent" and its listing of viral agents. Comments should be filed by August 9, 2019.

IT IS SO ORDERED.



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