

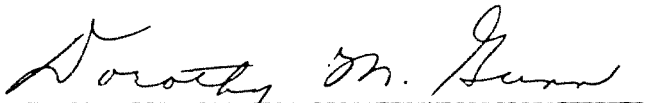
effective August 8, 1988). WMI states that "[t]hese new federal requirements simply are far too comprehensive and complex to allow either the Board or interested parties to evaluate in a two-week period their effect on these rulemaking proceedings." WMI requests that the Board defer adoption of any First Notice proposal for a sufficient period of time to allow proper consideration, and comment, if necessary, regarding the effect of the federal land disposal restrictions on this proceeding.

The Board agrees with WMI that proper consideration need be given to the federal land disposal restrictions as they relate to this proceeding. In light of the Board declining to proceed today to First Notice until DENR is further along in its EcIS preparation, the Board believes that the interim period can best be utilized by establishing a review and comment period with regard to the federal land disposal restrictions recently published by USEPA. The Board would like to have the record on this issue supplemented before proceeding to First Notice. Therefore, the Board directs the Hearing Officer to establish a comment period to allow for the submission of comment with respect to this issue.

Finally, the Board wishes to note that Morton Dorothy, of the Board's Scientific and Technical Section, having been a substantive witness earlier in this proceeding, has been and will continue to be exterior to the Board in this proceeding consistent with the language and intent of Res 86-1, Protocols of Operation for the Scientific/Technical Section.

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 8th day of September, 1988 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board