

ILLINOIS POLLUTION CONTROL BOARD
September 22, 1988

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R88-21
TITLE 35, SUBTITLE C)
(TOXICS CONTROL))

ORDER OF THE BOARD (by B. Forcade):

On September 20, 1988, the Illinois Environmental Protection Agency and the Illinois Environmental Regulatory Group (IERG) moved the Board to set a pre-hearing conference in this proceeding in order to:

"provide a better understanding of the intent and application of the proposal; assist the participants in reaching agreement on various aspects of the proposal, if possible; and assist the Board in identifying and limiting the issues of disagreement among the participants in order to promote the efficient use of time at the upcoming hearings."

As the movants note, Section 27(e) of the Environmental Protection Act ("Act"), as added by SB 1834 (P.A. 85-1048) provides for such a procedure; however, this provision is not effective until January 1, 1989. While an argument can be made that this procedure should not be utilized until January 1, the Board views this provision of the Act as a clarification of existing authority to control and expedite proceedings before it.

The motion is granted, and the Hearing Officer is authorized to schedule a conference. The conference will be conducted consistent with Section 27(e) of the Act. Notice of the conference shall be mailed to persons on the notice list for this proceeding.

IT IS SO ORDERED.

Board Member J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 22nd day of September, 1988, by a vote of 6-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board