

ILLINOIS POLLUTION CONTROL BOARD
September 13, 1990

IN THE MATTER OF:)
)
PETITION OF USX CORPORATION) R90-18
FOR HAZARDOUS WASTE) (Site-Specific
DELISTING) Rulemaking)
)

ORDER OF THE BOARD BY (J. Anderson):

This matter comes before the Board on the transfer of the petitioner's delisting files from the United States Environmental Protection Agency (USEPA) to the Board. The delisting file was sent to the Board after the April 30, 1990 authorization of the State of Illinois to carry out its hazardous waste delisting program in lieu of the Federal delisting program. (55 Federal Register 7320, March 1, 1990.) All pending delisting petitions at the USEPA will now be evaluated and finalized by the Board pursuant to 35 Ill. Adm. Code 720.122.

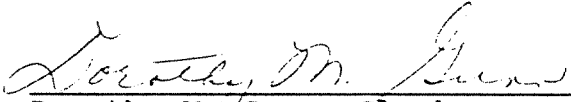
35 Ill. Adm. Code 720.122 presently requires the Board to follow its site-specific rulemaking procedures (35 Ill. Adm. Code 102, Subpart C) to delist hazardous waste. The Board notes that, in docket R90-17, it has proposed the more efficient adjusted standards procedure as an alternative procedure to handle the delisting petitions. Previously delisted hazardous wastes are codified in 35 Ill. Adm. Code 721. Appendix I: Wastes Excluded under Section 720.120 and 720.122.

The Board hereby accepts the transferred delisting petitions, earlier submitted to USEPA, as petitions now to the Board for site specific delisting rulemaking. At this time the Board directs the petitioner a) to indicate whether or not it wishes to proceed in the site-specific rulemaking procedure mode, b) to indicate whether or not the record received is complete and c) to supplement the record if desired.

The Board has no wish to delay this matter longer than necessary. The response of the petitioner is to be filed in the Board's office by October 3, 1990. The Clerk is directed to serve a copy of the July 19, 1990 Proposed Opinion and the Proposed Order in R90-17 along with this Order. The Illinois Environmental Protection Agency is invited to also submit any comments it may wish to make, by the October 3, 1990 date.

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 13th day of September, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board