

ILLINOIS POLLUTION CONTROL BOARD
May 5, 1988

IN THE MATTER OF:)
)
AMENDMENTS TO 35 ILL. ADM.) R88-14
CODE 211 AND 215 (Pharmaceuticals))

ORDER OF THE BOARD (by J.D. Dumelle):

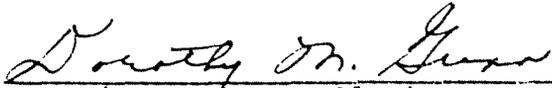
This matter comes before the Board on a petition for rulemaking filed by Abbott Laboratories on May 3, 1988. The Board notes that the procedural requirements relating to regulatory proposals are set forth at 35 Ill. Adm. Code 102. Among other things, those requirements include (1) an adequate statement of reasons supporting the proposal (see Section 102.120(b)) and (2) a petition signed by at least 200 persons, (see Section 102.121(a)).

Abbott's petition states that on May 2, 1988, Abbott filed a petition for variance (PCB 88-78) and that "much of the rationale for the proposed rules is set forth in that petition." Further, Abbott refers to an exhibit in a closed Board rulemaking (R86-10) apparently as support for its regulatory proposal. As this information was not submitted with the proposal and made part of the record in this docket, the Board is unable to find that an adequate statement of reasons supporting the proposal has been provided.

Unless and until the requirements set forth at 35 Ill. Adm. Code 102 have been satisfied, the Board will not authorize a hearing on the proposal or in any other manner proceed. If an amended proposal curing the above-noted defects is not submitted within 45 days, this docket will be subject to dismissal.

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 5th day of May, 1988 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board