

ILLINOIS POLLUTION CONTROL BOARD
October 21, 1993

IN THE MATTER OF:)
)
TOXIC AIR CONTAMINANT LIST,) R90-1(D)
STYRENE (35 ILL. ADM. CODE) (Rulemaking)
232 APPENDIX A))

ORDER OF THE BOARD (by C.A. Manning):

On September 10, 1993, the Illinois Pollution Control Board First Notice proposal (Notice) of R90-1(D) "Toxic Air Contaminants List, Styrene"; 35 Ill. Adm. Code 232.Appendix A, was published in the Illinois Register. (17 Ill. Reg. 14540 (September 10, 1993).) This amendment is being filed pursuant to Sections 9.5 and 27 of the Illinois Environmental Protection Act (Act). (415 ILCS 5/9.5 and 5/27 (1992).)

On September 23, 1993, the Styrene Information and Research Center (SIRC) requested a hearing pursuant to Section 5-40 of the Illinois Administrative Procedure Act (IAPA). (5 ILCS 100/5-40 (1992).) The Chemical Industry Council of Illinois (CICI) filed a request for hearing in this matter on September 24, 1993 pursuant to Section 5-40 of the IAPA. Section 5-40(5) of the IAPA states in relevant part:

The agency shall hold a public hearing on the proposed rulemaking during the first notice period if:...(ii) the agency receives a request for a public hearing, within 14 days after the publication of the proposed rulemaking in the Illinois Register, from 25 interested persons, an association representing at least 100 interested persons,....

Both the SIRC and CICI requests were received by the Board within the 14 days as required. SIRC states in its request for a hearing that it is an association that represents 100 interested members. CICI also states in its request that it is an association that represents over 250 interested members. Under the IAPA if the hearing requests meet the requirements, the Board must hold a hearing. The requests filed in this matter meet the requirements; therefore, the Board is granting the parties' request for hearing.

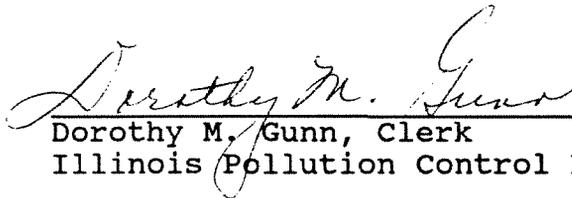
On October 15, 1993, SIRC filed a motion for additional time to file public comments pursuant to the Board's First Notice proposal. Publication of the Notice was on September 10, 1993. As established in the Notice the public comment period is for forty-five (45) days which ends October 25, 1993. SIRC requests an additional two (2) weeks, until November 8, 1993, or alternatively, until a date established by a hearing officer after any hearing scheduled by the Board to file its public comments. As the Board

has granted the hearing request, it will also grant the requested extension of the comment period until November 8, 1993. Pursuant to 35 Ill. Adm. Code 102.320 another comment period will be established at the end of the hearings.

The Board directs the Hearing Officer, Charles M. Feinen, to take the necessary actions to expeditiously bring this matter to hearing.

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 21st day of October, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board