

ILLINOIS POLLUTION CONTROL BOARD  
May 21, 1992

IN THE MATTER OF: )  
 )  
AMENDMENTS TO 35 ILL.ADM. ) R92-7  
 ) (Rulemaking)  
CODE 101.103(d) REGARDING )  
RECYCLED PAPER )

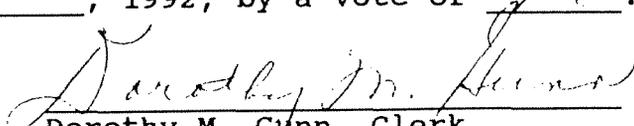
ORDER OF THE BOARD (by J. Theodore Meyer):

On May 19, 1992, Business and Professional People for the Public Interest (BPI) filed a petition to amend the Board's rule requiring the use of recycled paper. BPI seeks to make technical corrections to the rule, because the statutory definition of recycled paper has been revised and recodified.

BPI's petition was filed under docket number R90-24, which was the docket in which the Board adopted the recycled paper rule. However, because the proposed change to the rule must be the subject of a formal rulemaking, this proposal will proceed under a new docket number. Additionally, the caption of this rulemaking has been slightly revised. Future filings should refer to the new docket number (R92-7) and use the revised caption. The Board finds that the petition satisfies the content requirements of 35 Ill.Adm.Code 102.121, and accepts the proposal. As the Board noted in R90-24, because this proposal seeks to amend a procedural rule, several aspects of "regular" rulemaking do not apply to this proceeding. (Amendments to 35 Ill.Adm.Code 101.103(d) to Require Use of Recycled Paper for all Documents Filed with the Board (December 4, 1990), R90-24.) For example, the provisions of Section 27 of the Environmental Protection Act (Act) (Ill.Rev.Stat. 1989, ch. 111 1/2, par. 1027) relating to economic impact studies are not applicable to procedural rulemakings pursuant to Section 26 of the Act. Additionally, the Board is not required to hold hearings, other than within the context of the Administrative Procedure Act. (Ill.Rev.Stat. 1989, ch. 127, par. 1001 et. seq.) The Board will take further action on this proposal after reviewing the proposed change.

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 21<sup>st</sup> day of May, 1992, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board