

ILLINOIS POLLUTION CONTROL BOARD
June 6, 1991

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

PROPOSED RULE. DISMISSAL ORDER.

ORDER OF THE BOARD (by J. Anderson):

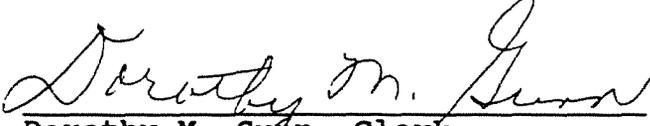
This matter comes before the Board on the May 9, 1991 petition of USX Corporation (USX) for hazardous waste delisting without further review. In support of its motion USX states that the United States Environmental Protection Agency (USEPA) has granted an exclusion for USX's chemically stabilized electric arc furnace dust/sludge from the lists of hazardous wastes. (56 Fed. Reg. 19579, April 29, 1991.) USX is requesting that the Board adopt the federal rule directly to avoid any further time consuming delisting processes.

On March 1, 1990, USEPA delegated authority to Illinois to administer several additional components of the RCRA program including the authority to delist hazardous waste. (55 Fed. Reg. 7320.) On July 5, 1990, the Board received a letter from the USEPA concerning the transfer of the USX Steel delisting petition and file. A docket was reserved on July 19, 1990 and the USEPA file was transferred into that docket on August 27, 1990. On November 9, 1990, USX notified the Board that USEPA had agreed to reopen its file and make a final determination on the delisting petition. The Board granted USX a six month extension on November 29, 1990 to await final action by USEPA. During the six month extension the Board received status reports on the progress of USX's petition. The present petition is a result of the final action taken by USEPA on April 29, 1991.

USX has continually requested that the delisting proceed expeditiously since the original petition was filed with the USEPA over three years ago. The Board and USEPA (as evidenced on page 19587 of 56 Fed. Reg., April 29, 1991) have both worked toward expediting this delisting petition. On May 23, 1991, the Board, on its own motion, reserved docket R91-12 for an identical-in-substance RCRA delisting proceeding for USX. That docket will process USX's delisting petition more efficiently than this site-specific rulemaking docket. Therefore, to avoid confusion and duplicitous proceedings, this docket is dismissed.

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 6th day of June, 1991, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board