

ILLINOIS POLLUTION CONTROL BOARD
October 20, 1988

IN THE MATTER OF:)
)
PROCEDURAL RULES REVISION,)
35 ILL. ADM. CODE 101,) R88-5
102, 106, and 107)

INTERIM ORDER OF THE BOARD (By J. Theodore Meyer):

This matter is before the Board on its own motion. Because of the public interest in this procedural rules revision, coupled with the tight time frames for action, the Board feels that it would be useful to set forth a tentative schedule for further Board action on this docket.

The last merit hearing in this matter will be held tomorrow, October 21, 1988, in Chicago. The first notice comment period closes on Monday, November 7, 1988. The Board anticipates taking action on a second notice opinion and order at its November 17, 1988 meeting. This document will respond to comments received at the two hearings and in written form during the first notice period, and will articulate the Board's positions on the issues raised during first notice. The second notice opinion and order will be held from submission to the Joint Committee on Administrative Rules (JCAR) in order to allow interested persons to comment on the opinion and order. All comments must be received at the Board's Chicago office by 4:30 p.m. on Monday, December 5, 1988. The Board realizes that the Thanksgiving holiday falls in this comment period, thus shortening the time to comment. However, given the short time periods for adoption of these rules, the December 5, 1988 deadline will be strictly enforced. After consideration of comments received during this period, the Board anticipates adopting a second notice opinion and order on or before December 15, 1988. The second notice will then be submitted to JCAR. The Board will move to final adoption of the rules approximately January 30, after expiration of the 45-day second notice period, unless earlier adoption is possible as a result of early JCAR action.

In sum, the Board foresees the following schedule:

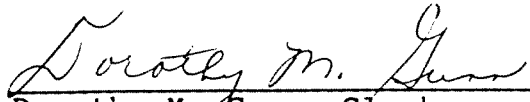
October 21	Final merit hearing
November 7	Close of first notice comment period
November 17	Board adoption of a "tentative" second notice opinion and order (not submitted to JCAR)

December 5	Comments on the November 17 opinion and order due in Board's Chicago office at 4:30 p.m.
December 15 (on or before)	Board adoption of "final" second notice opinion and order, with immediate submission of second notice to JCAR
January 30 (approximately)	Board adoption of final rules

By setting forth this projected schedule, the Board believes that all interested persons may anticipate when deadlines for action will fall, and be able to plan accordingly.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Interim Order was adopted on the 20th day of October, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board