

ILLINOIS POLLUTION CONTROL BOARD  
December 20, 1989

IN THE MATTER OF )

RACT DEFICIENCIES, )  
AMENDMENTS TO 35 ILL. ADM. )  
CODE 201, 211, AND 215 )

R89-16  
(Rulemaking)

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

This matter comes before the Board upon its own motion. The four scheduled days of hearing have been held, and a fifth hearing date, January 19, 1990, has been established on the record by the hearing officer. Noting that the United States Environmental Protection Agency (USEPA) had stated at hearing that it would send to the Board a copy of the documentation supporting USEPA's proposed parallel rulemaking, the hearing officer continued the hearing to permit the introduction of this information and to afford interested participants the opportunity to comment upon it.

While the Board agrees with this action, it notes its continuing concern that the procedural schedule set forth in the First Notice Opinion must and will be adhered to. That schedule provided as follows:

January, 1990	Post hearing comment period; EcIS hearing if Board Requests EcIS
February, 1990	Board deliberation and preparation of second notice Opinion and Order
March 8, 1990	Adoption of second notice at regular Board meeting
May 24, 1990	Adoption of Final Order

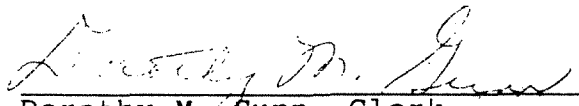
Although the Board has previously determined that an EcIS need not be prepared, the Board noted its belief that economic information would be forthcoming at hearing and requested the Department of Energy and Natural Resources (DENR) to remain an active participant. The Board is aware that DENR is diligently attempting to satisfy this request, and specifically requests each participant to give DENR its full cooperation.

Moreover, the Board specifically requests that DENR provide all additional economic information it has available on or before the January 19, 1990 hearing. So long as the economic information is submitted before the close of hearing on January 19, 1990, the public will have an opportunity to comment during the post-hearing comment period. The Board does not believe that the above-noted schedule permits any further continuation of the hearing.

Finally, the Board believes it wise to set a post-hearing comment schedule at this time. Post-hearing comments shall be filed no later than Friday, February 9, 1990. This date affords 21 days from the date of the hearing for participants to prepare and file their comments and approximately 30 days thereafter for the Board to deliberate and to meet the scheduled date of March 8, 1990 for Second Notice.

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 December, 1989 by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board