

ILLINOIS POLLUTION CONTROL BOARD
April 27, 1989

IN THE MATTER OF:)
)
GROUNDWATER PROTECTION: REGULATIONS FOR) R89-5
EXISTING AND NEW ACTIVITIES WITHIN)
SETBACK ZONES AND REGULATED RECHARGE)
AREAS (35 ILL. ADM. CODE 615 AND 616))

ORDER OF THE BOARD (by R. C. Flemal):

Pursuant to Section 27(a) of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1987 ch. 111¹/₂ par. 1027(a) as amended by P.A. 85-1048, effective January 1, 1989) the Board hereby determines that an economic impact study ("EcIS") should be conducted in the subject matter of this proceeding.

In so determining, the Board has taken into consideration all of the factors pertinent to this determination as specified in Section 27(a). It has also taken into consideration the proposal's two Public Comments submitted on this matter, both of which have been filed by the Department of Energy and Natural Resources (Public Comments #1 and #2; the latter is accompanied by a Motion to File Instanter, which is hereby granted).

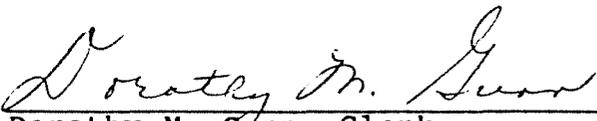
Section 27(a) of the Act requires the Board to make an initial determination whether an EcIS should be conducted within 60 days of acceptance of a proposal for hearing. In this proceeding, that determination must be made by May 22, 1989, approximately one week following the first scheduled hearings in this proceeding. It is apparent to the Board, even in advance of hearing, that an EcIS will be helpful in this proceeding. While the Board could delay its determination until after the initial May hearings, the Board presently anticipates that these hearings will largely be devoted to the Illinois Environmental Agency's exposition of the proposal, and will generate little information which would enable the Board to "identify specific issues to be addressed in the study" as allowed by Section 27(a). The Board believes that the efficient progress of this proceeding is best served by alerting DENR and other participants early of the Board's desire to have an EcIS conducted. Thereby, DENR can begin the EcIS process and other participants can begin formulating comments concerning economic issues other than whether an EcIS should be performed.

As the record in this proceeding develops, the Board may determine that "specific issues" have arisen which require special economic focus.

The Board further notes a change in caption for this docket, which had previously been In the Matter of: Proposed Amendments to Title 35, Subtitle F: Public Water Supplies, Chapter 1: Pollution Control Board Parts 615 and 616. The Board believes that the caption as used on this Order will better instruct interested persons regarding the subject matter of his proceeding, and accordingly directs that all future filings in this docket be so captioned.

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 27th day of April, 1989, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board