

ILLINOIS POLLUTION CONTROL BOARD
January 24, 1985

IN THE MATTER OF:)
)
TITLE 35: ENVIRONMENTAL PROTECTION) R82-2
SUBTITLE I: ATOMIC RADIATION)
CHAPTER I: POLLUTION CONTROL BOARD)
PART 1000: RADIATION HAZARDS)

CONCURRING OPINION (by J. Theodore Meyer):

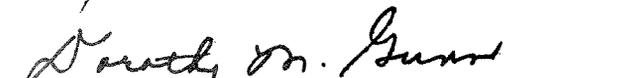
My concurrence with the majority in the proposed regulation is based upon Section 9.1(c) of the Environmental Protection Act approved June 29, 1970, as amended, which states:

The Board shall adopt rules which are in substance identical with federal regulations promulgated by the Administrator of the United States Environmental Protection Agency to implement Sections 111 and 112 of the federal Clean Air Act. Each such Board rule shall be adopted by Board resolution at the next scheduled Board meeting following promulgation of the corresponding federal regulation and filed with the Secretary of State in accordance with the Illinois Administrative Procedure Act within 60 days thereafter. The provisions and requirements of Title VII of this Act shall not apply to rules adopted under Subsections (b) and (c) of this Section.

According to a recent Wall Street Journal article, the USEPA has promulgated Chapter 112 emissions standards for radiological air pollutants. To date, the Board has not received the USEPA's regulations. When the standards are available, this Board must adopt rules which "are in substance identical with federal regulations promulgated by the Administrator of the United States Environmental Protection Agency to implement Sections 111 and 112 of the federal Clean Air Act". When the information is made available, I presume the Board will act accordingly.


J. Theodore Meyer

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Concurring Opinion was filed on the 31st day of January, 1985.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board