

ILLINOIS POLLUTION CONTROL BOARD
October 5, 1982

In the Matter of:)
)
Revisions to Chapter 7:) R80-20
Solid Waste)
)
In the Matter of:)
)
Revisions to Chapter 9:) R81-31
Special Waste Hauling)

ORDER OF THE BOARD (by D. Anderson):

R80-20 is an Illinois Environmental Protection Agency (Agency) proposal to replace the old Chapter 7: Solid Waste. Four hearings were held in early 1981. The Agency agreed to amend its proposal to accommodate comments made at these hearings. Deadlines were extended several times, but no proposal was ever filed.

R81-31 is a Board proposal to update Chapter 9: Special Waste Transportation to conform with regulations recently adopted under the federal Resource Conservation and Recovery Act (RCRA) (6 Ill. Reg. 4828, April 28, 1982). The Board circulated a draft proposal and held three inquiry hearings, the last consolidated with R80-20.

At the first hearing in R81-31 the Board draft was criticized. The Agency and the Illinois State Chamber of Commerce indicated that they were working together on a substitute proposal which would replace both Chapters 7 and 9. At the second and third hearings, the Board received progress reports and partial drafts. During this process it has become clear first that the subject matters of Chapters 7 and 9 require coordination to ensure consistency and, second, that it will be difficult to relate the testimony on the former proposals to the evolving combined proposal. The Board therefore hereby consolidates R80-20 and R81-31, and at the same time dismisses both.

Although coordination is necessary, the subject matter of Chapters 7 and 9 is too broad to handle in a single proceeding; indeed, the Agency's R80-20 proposal was too lengthy to conveniently cover in a single rulemaking. The Board will therefore open dockets for convenient groupings of rules. These may be consolidated for hearings or decision at a later date if such appears to be appropriate.

The Board has opened two dockets on this same date: R82-21 and R82-22. The first will deal with the subject of Chapter 7

and Chapter 9 permits, the portion of the Agency draft which seems to be the most advanced. This proposal should lay the general foundation on which the regulatory program will rest. R82-22 will deal with the landfill criteria, a preliminary draft of which has also been circulated. Other dockets will be opened at later dates as seems appropriate. R80-20 and R81-31 are hereby consolidated and dismissed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 5th day of October, 1982 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board