

ILLINOIS POLLUTION CONTROL BOARD
October 14, 1982

IN THE MATTER OF:)
) R80-22
SULFUR DIOXIDE EMISSION)
LIMITATION: RULE 204)

ORDER OF THE BOARD (by I. Goodman):

On October 1, 1982 the Village of Winnetka (Village) requested a public hearing pursuant to Paragraph 5.01(a) of the Administrative Procedure Act [Ill. Rev. Stat. 1982, ch. 127, Sec. 1005.01(a)] to contest the exclusion of a site-specific rule for the Village's power plant from the proposed rules published for First Notice in the Illinois Register on September 17, 1982. On October 5, 1982 a comment objecting to such a site-specific rule was received. A hearing has been set, but time additional to the statutory First Notice period is necessary to notify interested persons; to conduct the requested hearing; to receive and review the transcript of the same; and to deliberate; all of which would delay further action in this regulatory proceeding. Not only is this rulemaking an attempt to conclude the "continuing saga" of the sulfur dioxide rules, but expeditious action has been requested by other participants and a case presently before the Third District Appellate Court has been stayed anticipating its conclusion.

The issue of a site-specific rule for the Village's power plant is readily separated from the remainder of this rulemaking. To assure that the rules presently proposed are expeditiously adopted and implemented, the Village's request for a site-specific rule is hereby severed from the rules already proposed for First Notice. Two dockets are thereby established. Docket A will consist of the rules published in the September 17, 1982 Illinois Register; Docket B will consist of the Village of Winnetka's request for a site-specific rule allowing it to burn coal with 3.2 percent sulfur content without additional pollution controls.

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 14th day of October, 1982 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board