

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1988

IN THE MATTER OF:)
)
PERMIT REQUIREMENT FOR OWNERS) R84-17(A),(B),(C),(D)
AND OPERATORS OF CLASS I AND) (SEE R88-7)
CLASS II LANDFILLS AND FOR)
GENERATORS AND HAULERS OF)
SPECIAL WASTE)

ORDER OF THE BOARD (by J. Anderson):

By this Order, the Board dismisses Docket R84-17(A),(B),(C) and (D).

The record of the proceedings in this Docket R84-17 has been incorporated into the Board's newly titled R88-7 First Notice Opinion and Order adopted this same day, and which is attached and incorporated by reference herein. The Board recommends that this instant Order be read in conjunction with the Board's Opinion in R88-7. These actions today reflect the intent of the Board as articulated in its February 19, 1987 Interim Order concerning Dockets A, B, and C. As the Board stated in that Order:

Various subject matters involved in these consolidated dockets are closely intertwined with those in companion dockets which have been legislatively prioritized; some of these dockets are difficult to rationally deliberate outside of the context of a comprehensive non-hazardous waste management program. See, e.g. In The Matter of: IDENR Special Waste Categorization Study, R85-27, and Section 22.9 of the Environmental Protection Act.

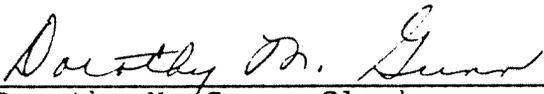
The record to date in R84-17 is sufficient to enable the Board to determine that, while each proposal has meritorious components, no single proposal pending before it is sufficiently refined or comprehensive to be adopted by the Board as the Board's own proposal for the purposes of first notice publication pursuant to the Illinois Administrative Procedures Act, and resulting additional hearings. It is clear to the Board that the Board itself, with the assistance of its scientific/technical and legal staff, must craft a proposal to address the sum of the various concerns which have been brought to the Board's attention.

Many aspects of the Docket A,B and C proposals were incorporated into the Docket D proposal of the Board's Scientific Technical Section (STS). The Board, in turn, has reviewed the record and is proposing in most respects the STS proposal as amended; however, the Board has altered certain aspects of the STS proposal, some to a significant degree. The Board will also deal with other aspects of a solid waste management system in other existing Dockets, e.g. R85-27 and R88-8, or in future Dockets addressing such matters as waste generation, storage and treatment.

The Board had expressed, in its February 11, 1988 Interim Order, its intent to docket its own proposal as R84-17(E). Upon reflection, the Board has determined that it is more appropriate to dismiss Docket R84-17; establish a new Docket number for the Board's proposal; retitl the Docket to more accurately reflect the scope of the regulations contained therein; and maintain the continuum of the record by incorporation of the R84-17 proceedings. These actions should make more clear that the Board has fashioned its single proposal, after consideration of proposals and the record developed to date, pursuant to Title VII of the Act.

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 25th day of February, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board