

ILLINOIS POLLUTION CONTROL BOARD
July 7, 1995

IN THE MATTER OF:)
)
PETITION OF COMMONWEALTH EDISON) R94-30
COMPANY FOR SITE-SPECIFIC) (Site-Specific
REGULATION FOR EXISTING) Rulemaking - Land)
LANDFILLS AND UNITS: 35 ILL.)
ADM. CODE 811.814)

ORDER OF THE BOARD (by M. McFawn):

On July 6, 1995, petitioner Commonwealth Edison Company (ComEd) filed a "Motion to Vacate Hearing Order of April 6, 1995 and to Withdraw Petition to Designate the Joliet/Lincoln Quarry Site as a Surface Impoundment." In this motion ComEd seeks to withdraw those portions of its petition seeking to designate the Joliet/Lincoln Quarry site (site) as a surface impoundment, and seeks relief from the Board's April 6, 1995 order directing that a hearing be held on this issue; the hearing is scheduled to be held July 11, 1995.

In support of its motion, ComEd states that it has been involved in on-going discussions with the Agency, and that they have reached a compromise intended to address management of elevated constituent concentrations in groundwater at the site. ComEd and the Agency have agreed to address these issues through the establishment of a Groundwater Management Zone in an operating permit to be issued to ComEd. ComEd states that the compromise has resolved the issues leading to its request for site-specific relief related to groundwater issues, and it therefore seeks to withdraw its request that the Board designate the site as a surface impoundment. ComEd states that several issues remain with respect to the original petition for Board determination, and proposes to file an amended petition after reviewing the scope of relief necessary. ComEd's motion states that the Agency has agreed to the relief requested in the motion.

Without commenting on the substance of the agreed-upon compromise between ComEd and the Agency, which is not before the Board, we hereby grant ComEd's motion to withdraw its petition to designate the site as a surface impoundment. Additionally, we direct that the hearing in this matter scheduled for July 11, 1995, be cancelled. The hearing officer is directed to schedule such hearings as necessary upon receipt of ComEd's amended petition, and to take such actions as necessary to expedite this proceeding.

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 7th day of July, 1995, by a vote of 7-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board