ILLINOIS POLLUTION CONTROL BOARD
December18, 2003

IN THE MATTER OF:)
)
CLEAN-UP AMENDMENTS TO   )   R04-10
35 ILL. ADM. CODE PART 214   )   (Rulemaking - Public Water Supply)
)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by J. P. Novak):

        This order dismisses this rulemaking at the request of the proponent, the Illinois
Environmental Protection Agency (Agency), which moved to withdraw the proposal on
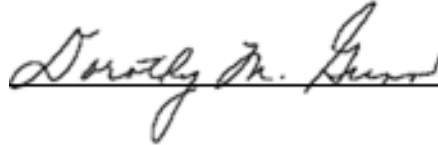November 21, 2003.

        The Board accepted the Agency's September 2, 2003 rulemaking proposal by order of
September 18, 2003. The Agency stated that the proposal seeks only to correct typographical
errors in the existing "special formula" in Section 214.184 used to determine sulfur dioxide
emissions from stationary sources.

        In its motion to withdraw, the Agency reports that an October 6, 2003 hearing officer
order queried whether the rulemaking should also address other errors that appear to have
occurred during recodification of certain air rules. The motion explains that the Agency cannot
devote resources to the necessary research at this time. But, the Agency notes, it plans to
proceed with a general "clean-up" of Part 214 late next year. This would be proposed in
conjunction with amendments as part of the State Implementation Plan for the new National
Ambient Air Quality Standard for fine particulate (PM 2.5). (Mot. At 1-2).

        In dismissing this docket, the Board defers to the Agency'sdetermination that it cannot
serve as proponent in this docket at this time. This docket is accordingly closed. However, the
Board believes that the public will be better served if the rules are corrected sooner, rather than
later when substantive changes are also proposed. The Board intends to open a docket in the
near future and itself propose only needed corrections of typographical or similar recodification
errors.
        IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 18, 2003, by a vote of 5-0.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board