

ILLINOIS POLLUTION CONTROL BOARD
February 16, 1995

IN THE MATTER OF:)
)
AMENDMENTS TO 35 ILL. ADM. CODE) R95-9
810.103 (SOLID WASTE DISPOSAL) (Rulemaking - Land)
GENERAL PROVISION) CONCERNING)
DISPOSAL OF DEAD ANIMALS)

ORDER OF THE BOARD (by R.C. Flemal):

On February 2, 1995 the Illinois Farm Bureau, Illinois Beef Association, Illinois Lamb and Wool Producers, Inc., Illinois Milk Producers Association, and the Illinois Pork Producers Association (joint proponents) filed a proposal to amend the Board's solid waste disposal regulations at 35 Ill. Adm. Code 810.103. The joint proponents seek clarification via their proposal of the relationship between the Board's solid waste disposal regulations and the authorities that flow from the Illinois Dead Animal Disposal Act (225 ILCS 610/1 *et seq.*).

Accompanying the proposal is a motion to waive 35 Ill. Adm. Code 102.121(h), which requires that the regulatory proposal be accompanied by a petition signed by 200 persons. The joint proponents request that the Board accept a Certification of Membership from each of the joint proponents in lieu thereof. The Board hereby grants the motion to waive the 200-signature requirement and accepts the certifications.

The Board finds that the petition meets the requirements of 35 Ill. Adm. Code 102.160(a)¹, and accordingly accepts the matter for hearing. The Board hereby directs the Board's hearing officer assigned to this matter to schedule hearings as required pursuant to Title VII the Environmental Protection Act (415 ILCS 5/26 *et seq.*).

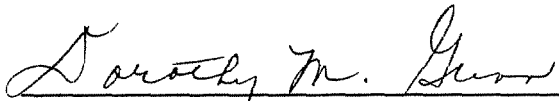
The Board notes that joint proponents have requested that at least one hearing be held downstate and that the Board avoid scheduling hearings from mid-April through June 30 and in September-October for the convenience of the agricultural

¹ The joint proponents are requested at hearing to attempt to quantify information described at pp. 10-11 of the petition concerning the number of persons affected and the economic impact of the rule change to assist the Board in completing any Analysis of Economic and Budgetary Effects which might be required by the Joint Committee on Administrative Rules. (See 35 Ill. Adm. Code 102.121(e) and 1 Ill. Adm. Code 220.Exhibit B.)

community. The Board directs its hearing officer to honor these requests, and to add to the service list the persons that the joint proponents have specified in the request accompanying their filing.

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 16th day of February, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board