

ILLINOIS POLLUTION CONTROL BOARD
October 1, 1992

IN THE MATTER OF:)
TOXIC AIR CONTAMINANTS LIST,) R90-1(D)
STYRENE) (Rulemaking)
(35 ILL. ADM. CODE 232))

Request for Public Comment.

ORDER OF THE BOARD (by J. C. Marlin):

On September 3, 1992, the Board added to its rules a list of 263 toxic air contaminants which may pose a significant risk to human health, as mandated by Section 9.5(c) of the Environmental Protection Act (Act). (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1009.5(c)). This rulemaking was initiated by a proposal filed by the Illinois Environmental Protection Agency (Agency) on January 2, 1990. Due to the nature of some of the questions arising during the public hearing and comment periods in docket R90-1(A) TITLE the Board deferred action on some issues, to Dockets R90-1(B), (C), and (D). Today the Board is addressing only Docket R90-1(D), Toxic Air Contaminants List, Styrene.

On June 4, 1992, the Board authorized submittal of a revised set of rules to the Joint Committee on Administrative Rules for second notice review. These rules were considered by JCAR at its July 14 and August 11, 1992 meetings. JCAR issued an objection to the listing of one chemical, styrene. (16 Ill. Reg. 13372, August 28, 1992.) In response to the objection, by separate action in RES 92-1, the Board deleted styrene from the list, and opened R90-1, Docket D in order to further consider styrene. This is discussed in detail in the Board's resolution and order in Toxic Air Contaminants List RES 92-1, R90-1(A) and R90-1(D) (September 3, 1991).

The Board is not making a final determination in Docket (D) at this time. However, the Board intends to make a decision in the near future. In order to aid the Board in this process, the Board requests that all interested parties submit any additional comments they wish to be considered in R90-1 (D) by November 2, 1992. In addition, the Board incorporates the record in R90-1 Docket A by reference.

Following the close of the comment period, the Board will issue an Opinion and Order which will determine either

- a) not to proceed with the listing of styrene and dismiss the docket, or
- b) to proceed with the styrene listing, and initiate first notice publication of a

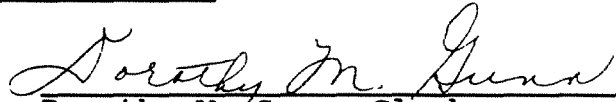
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proposed rule in the Illinois Register (this, of course starts a new public comment period).

The Board does not anticipate extending the present comment period beyond November 2, 1992 and encourages participants to timely file any comments they wish the Board to consider before the Board takes its next action in this docket.

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 1st day of October, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

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