

ILLINOIS POLLUTION CONTROL BOARD

June 20, 1996

IN THE MATTER OF:	)	
	)	
AMENDMENTS TO 35 ILL. ADM. CODE	)	R96-18
SUBTITLE F	)	(Rulemaking-Public Water Supplies)

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

This matter is before the Board on letters filed by the Illinois Environmental Protection Agency (Agency) on April 4 and June 17, 1996. The Agency requested that the Board open this docket for considering certain requested amendments that it filed on March 4, 1996 in the Safe Drinking Water Act (SDWA) identical-in-substance update docket, R95-17. The Board considered those requested amendments in R95-17 and responded to many of them with proposed amendments in the proposed opinion and order of April 18, 1996 in that proceeding. The Board responded to others by concluding that the requested amendments were inappropriate in the context of an identical-in-substance proceeding. The Board directs attention to the discussion and table in our proposed opinion and order of April 18, 1996 in R95-17 for a complete listing of the Agency-recommended revisions and Board responses. In submitting its comments (PC 2) to the Board's responses in R95-17, the Agency stated as follows:

The Agency appreciates the efforts of the Board in incorporating the majority of the modifications proposed by the Agency's [March 4, 1996] letter. In response to the Board's inquiry on page 11 of the [April 11, 1996 proposed] opinion [and order in R95-17], the Agency requests that the Board consider the letter as a petition to amend the regulations pursuant to Section 27 of the Illinois Environmental Protection Act ("Act"; 415 ILCS 5/27 (1994)), and assign a separate docket number to the remaining modifications proposed in the [March 4, 1996] letter.

The Agency will file a motion to amend the letter petition that will include a justification for the proposed amendments and will supplement the proposed amendments with additional proposals appropriate for a Section 27 of the Act rulemaking. . . .

In response to the Agency's request, the Board hereby opens this docket and places into it copies of the Agency's March 4, 1994 letter and June 17, 1996 public comment (PC 2) filed in docket R95-17. We note that the petition is incomplete as filed, and the Board will take no further action in this matter until the Agency has made the necessary filings to make a complete petition for rulemaking pursuant to 35 Ill. Adm. Code 101 and 102. This would require, among other things, the filing of an amended petition that includes the Agency's statement of reasons and the text of the proposed amendments, with all proposed additions underlined and deletions struck out.

If the Board does not receive an amended petition prior to September 1, 1996, this matter may be subject to dismissal.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the \_\_\_ day of \_\_\_\_\_, 1996, by a vote of \_\_\_\_\_.

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