

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of)

PROPOSED AMENDMENTS TO)
SPECIAL WASTE REGULATIONS)
CONCERNING USED OIL,)
35. Ill. Adm. Code, 808, 809)

R06-20

NOTICE OF FILING

To: ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on June 4, 2008, An Association of Responsible Recyclers ("NORA") electronically filed the attached *Motion to Request Hearing Following First Notice* with John Therriault, Assistant Clerk of the Illinois Pollution Control Board, a copy of which is herewith served upon you.

Respectfully submitted,

NORA, AN ASSOCIATION OF
RESPONSIBLE RECYCLERS

By: /s/ Claire A. Manning
One of its Attorneys

BROWN, HAY & STEPHENS, LLP
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing *Motion to Request Hearing Following First Notice* was filed, electronically, with the Clerk of the Illinois Pollution Control Board, and with copies being placed in the U.S. mail on June 4, 2008, and addressed to:

TIM FOX
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Illinois Pollution Control Board
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of)
)
PROPOSED AMENDMENTS TO THE) R06-20
BOARDS'S SPECIAL WASTE) (Rulemaking – Land)
REGULATIONS CONCERNING)
USED OIL, 35 ILL. ADM. CODE, 808, 809)
)

MOTION TO REQUEST HEARING FOLLOWING FIRST NOTICE

NORA, An Association of Responsible Recyclers (“NORA”), by and through its attorneys, Claire A. Manning and Alison K. Hayden, Brown Hay & Stephens LLP, moves to request a hearing following the May 1, 2008 Illinois Pollution Control Board (“Board”) Order and first-notice publication in the *Illinois Register*, 32 Ill. Reg. 8085, effective May 30, 2008, of amendments intended to exempt from the manifesting and special waste hauling permit requirements of 35 Ill. Adm. Code 808 and 809 (Parts 808, 809) used oil that is defined by and managed in accordance with 35 Ill. Adm. Code 739 (Part 739). NORA (formerly, the National Oil Recycling Association) is a trade association comprised of more than 200 companies providing used oil collection and recycling services throughout the entire United States, including Illinois and surrounding states.

NORA respectfully requests a hearing in accordance with the Illinois Administrative Procedures Act, 5 ILCS 100/5-40, and the Illinois Environmental Protection Act, 415 ILCS 5/27 and 28, and Board regulations, 35 Ill. Adm. Code § 101.500. A hearing will enable NORA to respond to the Board’s specific requests for comment by participants on whether to amend Part 739 and its request for comment in the form of regulatory language that might be proposed to

effect such an amendment. In addition, it will give NORA, as proponent, the opportunity to further explain its position.

In order to best utilize the time at hearing, and coordinate the issues yet to be resolved, NORA also respectfully suggests that a pre-hearing conference be set in advance of the hearing so as to maximize the time of hearing. Such pre-hearing conference, as contemplated in Section 27 of the Act, would serve the following statutory purposes: maximize understanding of the intent and application of the proposal, to reach agreement on aspects of the proposal, if possible, and to attempt to identify and limit the issues of disagreement among the participants to promote efficient use of time at hearing. 415 ILCS 5/27.

WHEREFORE, NORA moves that the Board set another hearing in this matter, following First Notice, and that the Board or Hearing Officer set a pre-hearing conference sufficiently in advance of that hearing so as to promote efficient use of time at hearing.

Respectfully submitted,

NORA, AN ASSOCIATION OF
RESPONSIBLE RECYCLERS

By: 

Claire A. Manning, one of its attorneys

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