

ILLINOIS POLLUTION CONTROL BOARD
March 21, 1984

In the matter of:)
)
PERMIT AND INSPECTION FEES) R84-1
FOR HAZARDOUS WASTE DISPOSAL)
FACILITIES [\$5(f)])

ORDER OF THE BOARD (by J. Anderson):

On March 13, 1984 the Illinois State Chamber of Commerce (Chamber) filed a motion for reconsideration of the Board's Order of February 29, 1984, which adopted a schedule of permit and inspection fees. As provided in that Order, the regulations establishing the fees were filed with the Secretary of State as emergency rules effective March 13, 1984. The Board has opened Docket No. R84-7 to address permanent rules.

In its motion the Chamber indicates that it intends to testify in favor of an alternative fee structure at the hearing in R84-7 on March 29, 1984. The motion specifically addresses 35 Ill. Adm. Code 718.330(d), which provides for payment of the fees for the quarter commencing July 1, 1984. The Chamber is concerned that the fees could become payable before the permanent rule is in place. The Chamber suggests three ways by which the Board could avoid this result: let the emergency rules expire before July 1; defer the beginning of the program to the second quarter of fiscal 1985; or, delay the billing to the end of the first quarter. Since the rules have already been filed, any of these actions would require an amendment. The Board has already opened R84-7 for the purpose of adopting a permanent rule and making any necessary adjustments. The Board will consider the Chamber's suggestions in R84-7, and take any indicated action in that docket.

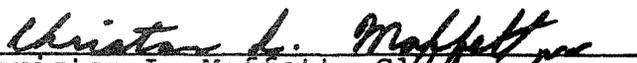
The motion for reconsideration is denied.

IT IS SO ORDERED.

Board Member J. D. Dumelle dissented.

Board Member J. Theodore Meyer abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 21st day of March, 1984 by a vote of 4-1.


Christan L. Moffett, Clerk
Illinois Pollution Control Board