

ILLINOIS POLLUTION CONTROL BOARD  
May 19, 1983

DEPARTMENT OF THE ARMY, )  
(Army Corps. of Engineers) )  
 )  
Petitioner, )  
 )  
v. ) PCB 83-25  
 )  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Anderson):


On May 6, 1983 the Department of the Army filed an amended petition for variance from various water quality standards to allow for bankline or open water disposal of sediment dredge from the Illinois Waterway, as opposed to otherwise required confined, upland disposal of such materials. The amended petition specified 25 sites at which such dredging activity may occur. They are located between river miles 80.2 and 230.2, in the counties of Brown, Cass, Schuyler, Mason, Fulton, Peoria, Tazewell, Woodford, Marshall, and LaSalle.

Although hearing has been waived in this matter, the Board in its discretion concludes that "a hearing would be advisable" and orders that hearing be held pursuant to Section 37(a) of the Act. The Board directs the Hearing Officer assigned to this action to designate one of the 10 affected counties as that in which hearing shall be held pursuant to 35 Ill. Adm. Code 103.125(b), and to schedule and hold hearing as expeditiously as is practicable.

The Board requests the parties to address the questions of a) whether RCRA and Chapter 7 requirements and restrictions have any applicability to the proposed disposal of dredged material and b) whether the dredging process, as distinguished from the disposal of the dredged material, is also a matter that falls within the scope of these proceedings.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 19<sup>th</sup> day of Ma, 1983 by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board