**Section 104.236 Hearing Procedures**

Hearings will be conducted under 35 Ill. Adm. Code 101.Subpart F, except that:

a) Hearings may be canceled by a motion filed in accordance with 35 Ill. Adm. Code 101.510 at the discretion of the hearing officer.

b) If all parties and participants who have requested a hearing under this Subpart have withdrawn their requests for a hearing, the hearing will not be held unless the Board in its discretion deems it advisable.

c) The hearing on a RCRA variance petition will be held, whenever possible, at a location convenient to the population center that is closest to the facility.

d) The hearing officer will give notice of RCRA hearings to the following persons:

1) Any person in the county in which the installation or property for which variance is sought is located who has in writing requested notice of variance petitions and the State's attorney of the county;

2) The Chairman of the county board of the county;

3) Each member of the General Assembly from the legislative district in which that installation or property is located;

4) Federal agencies as designated by USEPA;

5) Illinois Department of Transportation;

6) DNR;

7) Illinois Department of Public Health;

8) The Governor of any other state adjacent to the county in which the facility or pollution source is located;

9) Elected officials of any counties, in other states, adjacent to the county in which the facility or pollution source is located, and elected officials in any municipality, in another state, if it is the population center that is closest to the facility or pollution source; and

10) USEPA's Region V Director of Waste, Pesticides and Toxics Division.

(Source: Amended at 41 Ill. Reg. 10049, effective July 5, 2017)