

ILLINOIS POLLUTION CONTROL BOARD
October 7, 1993

GENERAL CHEMICAL CORPORATION,)	
(Chemical Manufacturing Plant),)	
)	
Petitioner,)	
)	
v.)	PCB 93-178
)	(Variance)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by B. Forcade):

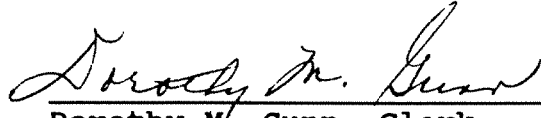
This matter comes before the Board on a "Petition to Extend Variance" filed by General Chemical Corporation (GCC) on September 30, 1993. The motion seeks an extension to the variance granted to GCC's facility in Fairmont City, St. Clair County, Illinois on June 3, 1993 in PCB 92-217. The Board granted GCC a variance from 35 Ill. Adm. Code 212.322(a) until December 1, 1993. GCC is seeking to extend the date of the variance until February 1, 1994.

A petition to extend a variance is considered as a new petition for variance before the Board and is required to satisfy the requirements for a variance petition. (35 Ill. Adm. Code 104.123.) The resubmission of information contained in the original petition is not required provided that the petition requests the incorporation of the record, opinion and order of the prior proceeding into the new petition. (35 Ill. Adm. Code 104.123(a).) The filing requirements for incorporation of materials is provided in 35 Ill. Adm. Code 101.106. A petition for variance shall also contain a request for hearing or a waiver of the hearing requirement accompanied by affidavits or such other proof supporting the material facts alleged in the petition. (35 Ill. Adm. Code 104.124.)

The Board finds that the petition as filed does not contain the necessary information for a variance petition nor has GCC filed a motion to incorporate. The petition also does not indicate if GCC is requesting a hearing in this matter. Therefore, the Board orders GCC to file an amended petition curing these deficiencies on or before November 8, 1993. Any amended petition filed by GCC shall provide the information required by 35 Ill. Adm. Code 104.121. Failure to file an amended petition will subject this matter to dismissal for inadequacy.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 7th day of October, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board