

ILLINOIS POLLUTION CONTROL BOARD  
November 4, 1993

|                        |   |            |
|------------------------|---|------------|
| TRW, INC.,             | ) |            |
|                        | ) |            |
| Petitioner,            | ) |            |
|                        | ) |            |
| v.                     | ) | PCB 93-196 |
|                        | ) | (Variance) |
| ILLINOIS ENVIRONMENTAL | ) |            |
| PROTECTION AGENCY,     | ) |            |
|                        | ) |            |
| Respondent.            | ) |            |

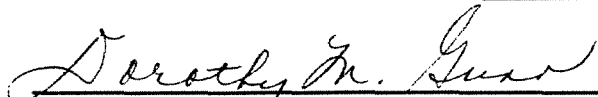
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a petition for variance, filed on October 22, 1993 by TRW, Inc. TRW seeks a variance from 35 Ill. Adm. Code 215.301. After reviewing the petition, it appears that the petition is deficient. Although TRW states that it waives hearing pursuant to Section 104.124 of the Board's procedural rules, the petition does not include an affidavit in support of the material facts alleged in the petition. TRW is directed to file such an affidavit within 45 days of the date of this order, or the petition for variance will be subject to dismissal. The Board notes that for purposes of calculation of the decision deadline pursuant to Section 38 of the Environmental Protection Act, the filing of an amended petition will restart the Board's 120-day decision deadline.

Additionally, the Board also asks the Agency to comment, by December 1, 1993, upon whether a hearing on this petition is necessary pursuant to the Clean Air Act.

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 4<sup>th</sup> day of November 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board