

ILLINOIS POLLUTION CONTROL BOARD  
June 8, 2000

IN THE MATTER OF: )  
)  
PETITION OF HERITAGE ) AS 00-14  
ENVIRONMENTAL SERVICES, INC. ) (Adjusted Standard - RCRA)  
FOR AN ADJUSTED STANDARD FROM )  
35 ILL. ADM. CODE 702.126(d)(1) )

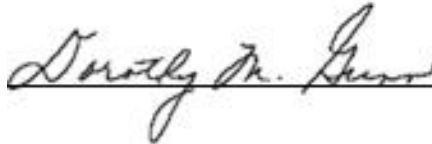
ORDER OF THE BOARD (by G.T. Girard):

This petition for an adjusted standard was filed with the Board on March 27, 2000. On May 4, 2000, the Board directed the petitioner to file proof of publication as required by Section 28.1(d)(1) of the Environmental Protection Act (Act). 415 ILCS 5/28.1(d)(1). On June 2, 2000, petitioner filed proof that publication occurred on May 25, 2000. May 25, 2000, is well after the 14-day notice required by the Act.

Publication of notice of filing is jurisdictional. See Petition of Horsehead Resource and Development Company, Inc., for an Adjusted Standard under 35 Ill. Adm. Code 720.131(c) (August 5, 1999) AS 00-1. Publication did not occur within the 14-day period and, as a result, the Board does not have statutory authority to hear the petition. The Board therefore dismisses the petition and directs the Clerk to close docket AS 00-14.

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 8th day of June 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board