

ILLINOIS POLLUTION CONTROL BOARD
August 10, 2000

AMEREN ENERGY GENERATING COMPANY,)
)
 Petitioner,)
)
 v.)
) PCB 01-16
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,) (Variance - NPDES)
)
 Respondent.)
)
)
)

ORDER OF THE BOARD (by N.J. Melas):

On July 28, 2000, petitioner Ameren Corporation filed a petition for a variance from the Board's general use water quality standard for boron at 35 Ill. Adm. Code 302.208(g). Petitioner also requests an adjusted standard from the Board's effluent standard for boron at 35 Ill. Adm. Code 304.105. Petitioner's requested variance is for its wastewater discharge into an unnamed tributary of the Mississippi River in Jackson County, Illinois.

In filing the petition for variance, petitioner has neglected to follow the Board's rule at 35 Ill. Adm. Code 104.124 which provides, in pertinent part:

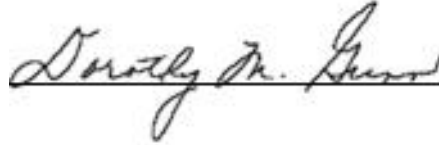
[t]he petition shall contain a request for a hearing on the petition if desired by petitioner; or, in the alternative, a statement waving a hearing, accompanied by such affidavits or other proof in support of the material facts alleged in the petition as the petitioner may submit, sufficient to enable the Board, if it so decides, to rule upon the petition without a hearing.

The Board requests that petitioner comply with 35 Ill. Adm. Code 104.124 and submit an amendment to its petition no later than August 24, 2000. The Illinois Environmental Protection Agency's deadline for filing a recommendation with the Board shall be 30 days after petitioner files its amendment with the Board. See 35 Ill. Adm. Code 104.180.

If petitioner fails to comply with 35 Ill. Adm. Code 104.124, the Board may dismiss the petition for inadequacy pursuant to 35 Ill. Adm. Code 104.125.

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 10th day of August 2000 by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board