

ILLINOIS POLLUTION CONTROL BOARD  
January 7, 1988

THE DOW CHEMICAL COMPANY, )  
 )  
 Petitioners, )  
 )  
 v. ) PCB 88-2  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by B. Forcade):

On January 4, 1988, The Dow Chemical Company and the Mobil Chemical Company, Inc. filed a joint petition for variance from 35 Ill. Adm. Code Section 215.437 for their polystyrene plants. The Board is segregating this pleading and making two separate dockets: PCB 88-2 is Dow Chemical Company and PCB 88-8 is Mobil Chemical Chemical.

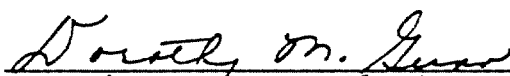
The petition for variance in this proceeding is deficient in that it commingles the facts and assertions of both Dow Chemical and Mobil Chemical. An amended petition must be filed, in each proceeding, which describes only the facts and claims that relate to that particular petitioner. The Board also notes that the intention to file a future proposal for regulatory relief does not constitute a compliance plan.

Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defect, this matter will be subject to dismissal.

Unless otherwise advised in the amended petitions, the Board will assign these two proceedings to the same hearing officer with a request that hearing be scheduled for the same date in the same location.

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 7<sup>th</sup> day of January, 1988, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board