

ILLINOIS POLLUTION CONTROL BOARD
August 6, 1987

RIVERSIDE COATINGS, INC.)
)
Petitioner,)
)
v.) PCB 87-94
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J. Anderson):

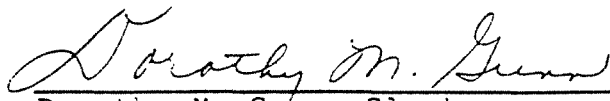
This docket was initiated by the variance petition filed July 2, 1987. On July 28, the Agency moved the Board either to dismiss the petition, or to require the filing of an amended petition to cure enumerated deficiencies. On August 3, 1987, Riverside filed an amended petition. As this petition satisfies the concerns articulated by the Agency, the motion is denied.

However, the Board notes that the copy of the petition served upon USEPA was addressed to it at "219 S. Dearborn", rather than at "230 S. Dearborn" as listed in the RCRA regulations. While this is a minor discrepancy, the Board is not inclined to assume that the petition was properly forwarded for delivery. Riverside is therefore directed to file an amended petition containing proof of proper service upon USEPA. The Board's decision period and the Agency's notification duties will commence running from the date the required filing is received.

If an amended petition is not filed within 45 days of the date of this Order, this petition will be subject to dismissal.

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 6th day of August, 1987, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board