

ILLINOIS POLLUTION CONTROL BOARD  
November 7, 1985

HANLEY INDUSTRIES, INC., )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 85-125  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J. Anderson):

On October 10, 1985 the Board dismissed this petition for variance by reason of Hanley's failure to provide information specified in Board Orders of August 21 and September 5, 1985. This information was due to be filed on October 7; on October 11, the Board received a letter dated October 4 responding to those Orders.

The October 11 amended petition still does not adequately respond to the Board's questions. The Board requested information concerning the availability and costs of other disposal options; the October 11 filing states that there are no "preferable" disposal options. No costs were presented of any other "less preferable" options, including the chemical destruction of wastes which Hanley noted it had investigated in its original August 20 petition. This information should be presented.

The Board had also requested that Hanley specify a compliance plan other than intent to ask for a variance extension next year. Hanley's response is a single sentence petitioning for a site specific rule change. This request does not follow the procedures set out in the Board's rules at 35 Ill. Adm. Code Section 102.120-102.12.

Having considered these pleadings, the Board reaffirms its dismissal of this petition for inadequacy. The Board notes that, in addition to Hanley's request for hearing, that it has received several citizens' objections and requests for hearing concerning this petition. A meaningful public hearing cannot be held given the noted deficiencies. This dismissal does not preclude Hanley from instituting a new variance or site-specific proceeding by the filing of an adequate petition. The Clerk is directed to provide Hanley with a copy of the Board's Procedural Rules; while it is not necessary, Hanley may wish to consider securing professional assistance in preparation of any new petition.

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 November, 1985, by a vote of 7-0.

*Dorothy M. Gunn*

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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board