

ILLINOIS POLLUTION CONTROL BOARD
June 27, 1985

THE B.F. GOODRICH COMPANY)
(Henry Plant),)
)
Petitioner,)
)
v.) PCB 85-87
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):


On June 21, 1985, B.F. Goodrich filed a Petition for Review of NPDES Permit NO. IL 001392; however, no proof of service on the Illinois Environmental Protection Agency ("Agency") was provided to the Board.

Pursuant to Section 40(a)(1) of the Environmental Protection Act, "the Agency shall appear as respondent..." in all permit appeals. Pursuant to the Board's Procedural Rules, 35 Ill. Adm. Code 105.102(d)(4), 103.122 and 103.123(a), a copy of the permit appeal must be filed with the Agency and proof of service of such filing must be filed with the Clerk of the Board.

The Board will provisionally accept this Petition, assuming the failure to file proof of service was an oversight. However, filing for purposes of Section 40(a)(3) shall not be complete until the requisite proof of service is filed with the Clerk of the Board. Unless the proof of service is filed within 10 days of the date of this Order this matter 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 27th day of June, 1985, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board