

ILLINOIS POLLUTION CONTROL BOARD

September 26, 1972

AMOCO CHEMICALS CORPORATION)
v.) PCB 72-370
ENVIRONMENTAL PROTECTION AGENCY)

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

The Amoco Chemicals Corporation of Joliet (Amoco) filed a letter dated September 11, 1972 with the Agency requesting a variance of 90 days from an October 1, 1972 deadline for filing an air pollution operating permit.

The application is herewith rejected as inadequate without prejudice.

Chapter 2, Rule 103(b)(2)(A) requires that industries such as Amoco in the Chemical and Allied products classification possess an operating permit by December 1, 1972 and apply for such a permit not less than 90 days in advance (September 1, 1972 in this case). The Amoco petition speaks of an "amended deadline" of October 1, 1972 for filing the permit and the date of permit holding as being January 1, 1973.


The Board has received no notification by the Agency that the two dates in question have been extended by 30 days. The Agency has the power under Rule 103(b)(2)(B) to waive the 90-day minimum period in which applications must be filed in advance of possession requirements. Amoco's petition makes no allegation that the Agency has refused to waive the 90-day period and thus Amoco has not exhausted its administrative remedies.

The petition also is defective and inadequate from the requirements of the Act in that it does not detail the hardship to Amoco or to the public that would be incurred by the denial or grant of the variance.

The petition is dismissed as premature and inadequate without prejudice.

It is so ordered.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion & Order were adopted on the 26th day of September, 1972 by a vote of 4-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board