

ILLINOIS POLLUTION CONTROL BOARD
December 15, 1988

KOPPERS COMPANY, INC.)
(Chicago Tar Plant),)
)
Petitioner,)
)
v.) PCB 88-196
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):

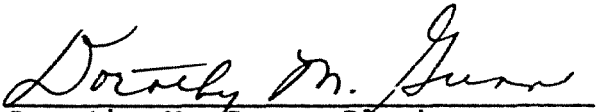
On December 6, 1988, Koopers Company, Inc., Chicago Tar Plant ("Koopers") filed a petition for variance, seeking relief from Board regulations and "Sewage and Waste Control Ordinance of the Metropolitan Sanitary District of Greater Chicago, Article III." That petition is deficient in that it contains two areas of uncertainty:

1. The petition requests, but the Board is not authorized to grant, relief from the Metropolitan Sanitary District of Greater Chicago's ("MSDGG") rules and regulations; and
2. The petition fails to state whether or not MSDGG is a necessary or proper party to the proceeding which seeks relief from Board regulations.

Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defects, this matter will be subject to dismissal. That amended petition should only request relief from this Board's regulations. Further, the amended petition should either joint MSDGC as a necessary party or state that MSDGC has been served with the amended petition so that it might join the proceeding if it chooses to do so.

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 15th day of December, 1987, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board