

ILLINOIS POLLUTION CONTROL BOARD
May 4, 2006

IN THE MATTER OF:)
)
PETITION OF LAFARGE MIDWEST, INC.) AS 06-3
FOR BOILER DETERMINATION) (Adjusted Standard – Land)
THROUGH ADJUSTED STANDARD)
PROCEEDINGS PURSUANT TO)
35 ILL. ADM. CODE 720.132 AND 0.133)

ORDER OF THE BOARD (by A.S. Moore):

On March 29, 2006, petitioner Lafarge Midwest, Inc. (Lafarge) filed a petition (Pet.) seeking a boiler determination under the criteria in the Board’s hazardous waste management regulations through adjusted standard proceedings. See 35 Ill. Adm. Code 720.132 (“Boiler Determinations”). The petition concerns two raw mill dryers at Lafarge’s portland cement plant located at 2500 Portland Road, Grand Chain, Massac County. Pet. at 2. Lafarge has waived its right to a hearing on the petition. Pet. at 49; see 35 Ill. Adm. Code 104.422(a)(1) (requiring hearing when petitioner requests that one be held).

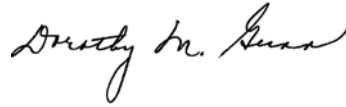
The Environmental Protection Act and the Board’s procedural rules require publication of notice of a petition for an adjusted standard in a newspaper of general circulation in the area likely to be affected by the petitioner’s activity. 415 ILCS 5/28.1 (2004); 35 Ill. Adm. Code 104.408(a). The notice must be published within 14 days of filing a petition for an adjusted standard with the Board. 35 Ill. Adm. Code 104.408(a). Lafarge on April 27, 2006, timely filed with the Board a certificate stating that *The Metropolis Planet* published notice of the petition on April 12, 2006. See 35 Ill. Adm. Code 104.410 (requiring filing of certificate within 30 days after filing of petition).

Based on an initial review of Lafarge’s petition, the Board finds that it complies with the petition content requirements contained in the Board’s procedural rules. See 35 Ill. Adm. Code 104.406. Consequently, the Board accepts Lafarge’s petition for a boiler determination.

The Board’s procedural rules provide that, unless otherwise directed by the Board or hearing officer, the Environmental Protection Agency (Agency) must file a recommendation with the Board within 45 days after the filing of the petition. 35 Ill. Adm. Code 104.416(a). Lafarge “may file a response to the recommendation within 14 days after the date of service of the recommendation.” 35 Ill. Adm. Code 104.416(d).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on My 4, 2006, by a vote of 4-0.

A handwritten signature in cursive script, appearing to read "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board