ILLINOIS POLLUTION CONTROL BOARD
February 4, 1982

AMERICAN AIR FILTER, Petitioner,	)	
v.	)	PCB 82-3
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

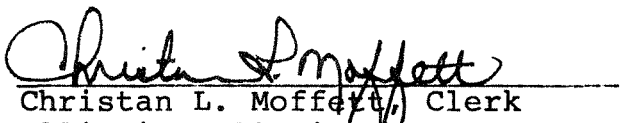
ORDER OF THE BOARD (by I. Goodman):

Petitioner submitted a site specific rule change to the Board on January 14, 1982 which is insufficient pursuant to Section 28 of the Illinois Environmental Protection Agency, nor does it suggest adoption or amendment of an existing rule. Furthermore, there is a question as to whether the Petitioner should be classified as a "Large Appliance" coater and subject to Chapter 2 Rules 104(b)(1) and 205(n)(1)(H). If so, it is likely that Petitioner will require a variance during the site specific rule change procedures. The Board has therefore interpreted this as a variance petition. As such, it does not satisfy the requirements of Procedural Rules 401(a)(6), (8) and (9) and 401(b). Specifically, Petitioner failed to discuss alternative compliance means, provide a compliance plan, request or waive hearing, and if waived, provide an appropriate affidavit. Petitioner has forty-five (45) days from the date of this Order to so amend, or the Petition is subject to dismissal. The ninety day decision period will commence the day the necessary amendments are filed with the Board.

IT IS SO ORDERED.

Board Member D. Anderson dissented.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 4th day of February, 1982 by a vote of 3-1.



Christan L. Moffett, Clerk
Illinois Pollution Control Board