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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD $_{\Lambda VIIC}$ 0.6 1999

STATE OF ILLINOIS Sollution Control Boar	d
Standard –	

IN THE MATTER OF:

PETITION OF HORSEHEAD RESOURCE

DEVELOPMENT COMPANY, INC. FOR AN (Adjusted ADJUSTED STANDARD UNDER 35 ILL.)

ADM. CODE 720.131(c)

MOTION TO INCORPORATE RECORD FROM ADJUSTED STANDARD PROCEEDING AS 00-001

Horsehead Resource Development Company, Inc. ("HRD") hereby petitions the Illinois Pollution Control Board ("Board") for an adjusted standard under 35 Ill. Adm. Code 720.131(c) for crude zinc oxide ("CZO") produced by HRD at its Chicago facility (hereinafter referred to as the "Facility"). By separate motion filed today, HRD requests that the Board incorporate the entire record from docket AS 00-001 into this proceeding, which includes HRD's Petition for an Adjusted Standard dated July 20, 1999. (The Board dismissed AS 00-001 on August 5, 1999.) Therefore, for the reasons stated in HRD's Petition for an Adjusted Standard (AS 00-001), HRD respectfully requests the granting of this Petition for an Adjusted Standard for CZO produced from the recycling of EAF dust, as well as smaller quantities of zinc-bearing hazardous and non-hazardous waste feedstocks, at HRD's HTMR Facility.

Respectfully submitted,

HORSEHEAD RESOURCE DEVELOPMENT COMPANY, INC.

Bv:

One of its Attorneys

Paul E. Gutermann Akin, Gump, Strauss, Hauer & Feld, LLP 1333 New Hampshire Avenue, N.W., Suite 400 Washington, DC 20036 (202) 887-4000

John N. Moore Law Offices of John N. Moore 200 North LaSalle Street, Suite 2200 Chicago, IL 60645 (312) 782-9503

Date: August 6, 1999

CERTIFICATE OF SERVICE

I, the undersigned, on oath state that I have served the foregoing PETITION FOR AN ADJUSTED STANDARD upon the following in the manner indicated below, this 6th day of August, 1999:

Dorothy M. Gunn, Clerk Illinois Pollution Control Board 100 West Randolph Street – 11th Floor Chicago, IL 60601 (HAND DELIVERY) Peter Orlinsky
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection
Agency
1701 South First Avenue, # 600
Maywood, IL 60153
(FIRST-CLASS MAIL)

Robert Lawley Chief Legal Counsel Department of Natural Resources 524 S. Second Street Springfield, IL 62701 (FIRST-CLASS MAIL)

John 19 May

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Robert Lawley Chief Legal Counsel Department of Natural Resources 524 S. Second Street Springfield, IL 62701 (FIRST-CLASS MAIL)

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