

ILLINOIS POLLUTION CONTROL BOARD
February 20, 1997

IN MATTER OF:)
)
PETITION OF SHELL WOOD RIVER) AS 97-3
REFINING COMPANY FOR ADJUSTED) (Adjusted Standard - RCRA)
STANDARD FROM 35 ILL. ADM. CODE)
725.213 and 725.321.)

ORDER OF THE BOARD (by J. Yi):

This matter comes before the Board on a petition for adjusted standard filed September 3, 1996, by Shell Wood River Refining Company (Shell or petitioner) located near Roxana Illinois, Madison County. Shell is requesting an adjusted standard from the closure and design provisions of 35 Ill. Adm. Code 725.213 and 725.321 respectively; petitioner seeks to delay closure of certain wastewater treatment ponds at its Wood River facility so as to use the ponds to treat nonhazardous waste and maintain compliance with its National Pollution Discharge Elimination System permit. In accordance with 35 Ill. Adm. Code 106.712, Shell notified the Board on October 2, 1996, that it caused notice to be timely published in the Alton Telegraph. Additionally Shell has met all the applicable informational requirements; however, this does not mean Shell has demonstrated its burden before the Board.

On January 10, 1997, Shell filed an amended petition and a motion to vacate the Board October 17, 1996 order so far as that order set this matter to hearing. Shell states that this matter is being brought pursuant to 35 Ill. Adm. Code 725.213(e)(8)(A) and that provision specifically states that the procedures of 35 Ill. Adm. Code 106.Subpart G are to be followed. Section 106.705 allows for the waiver of the hearing requirement which Shell waived in its petition for an adjusted standard. The Board grants the motion to cancel the hearing and vacates that portion of the Board's October 17, 1996 order.

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 ____ day of _____, 1997, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board