### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	RECEIVED CLERK'S OFFICE
Petition of Royal Fiberglass Pools, Inc	0R/G/AS-2009	O-004 APR 2 4 2009
For an Adjusted Standard from 35 IAC § 215.301		d Standard)STATE OF ILLINOIS Pollution Control Board

### NOTICE OF PUBLICATION OF PETITION FOR AN ADJUSTED STANDARD

Pursuant to 35 Ill. Adm. Code 104.410, Royal Fiberglass Pools, Inc. ("Royal"), by and through its attorneys, Bryan Cave LLP, respectfully notifies the Illinois Pollution Control Board and the parties listed on the attached Certificate of Service that on April 13, 2009, Notice of Royal's Petition for an Adjusted Standard was published in the Mt. Vernon Register-News. Attached at Exhibit 1 is a Certificate of Publication from the publisher of the Mt. Vernon Register-News, and attached at Exhibit 2 is a more legible copy of the text of the published notice.

Respectfully submitted,

BRYAN CAVE LLP

By:

Dale A. Guariglia, Missouri Bar # 32998

Brandon W. Neuschafer, Missouri Bar #53232

One Metropolitan Square

211 N. Broadway, Suite 3600

St. Louis, Missouri 63102 Telephone: (314) 259-2000

Telefax: (314) 259-2020

Attorneys for Royal Fiberglass Pools, Inc.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing motion was served upon the following parties on the 23rd day of April, 2009:

Illinois Pollution Control Board, Attn: Clerk 100 West Randolph Street James R. Thompson Center, Suite 11-500 Chicago, IL 60601-3218

Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 Attn: Charles Matoesian RECEIVED CLERK'S OFFICE

APR 2 4 2009

STATE OF ILLINOIS Pollution Control Board

# CERTIFICATE OF PUBLICATION

MT. VERNON REGISTER-NEWS

CLERK'S OFFICE

APR 2 4 2009

STATE OF ILLINOIS JEFFERSON COUNTY

SS

STATE OF ILLINOIS
Pollution Control Board

I, Robert Dennis, do hereby certify that I am Publisher of the Mt. Vernon Register-news, and that said Mt. Vernon Register-News is an incorporated company, having its principal office in the City of Mt. Vernon, an County of Jefferson aforesaid.

I further certify that Community Newspaper Holdings Inc. is the owner and publisher of the Mt. Vernon Register-News.

I further certify that the said Mt. Vernon Register-News is a secular newspaper of general circulation, which is now and for more than twelve months prior to the first publication here certified to has been printed and published regularly in the City, County and State foresaid.

I further certify that said newspaper has been printed and published as aforesaid as a Daily paper, and that as such Daily it has been regularly issued during such time on each secular day of each week.

I further certify that as Publisher as aforesaid I have been and am authorized and directed by the Board of Directors of the said Mt. Vernon Register-News to sign and execute certificates of publication for and in its behalf, and to make an execute this certificate as aforesaid.

I further certify that a notice of which a true copy is herein attached, has been published One (1) time in said Daily edition of said newspaper, following day publication thereof having been made

April 13, 2009

Given under my hand this April 13, 2009 A.D.

Printer's Fee \$122.25.

Robert Dennis, Publisher Mt. Vernon Register-News

Document:

PETITION BY ROYAL FIBERGLASS POOLS Notice Size: 1 X 21.87

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"We're heart would flag, watching, walting, it is inking its trail, and much should it? Gane Wielland said of the rising Shoyenne River, which flower near Wieldund's timure assume at Horace wall fronk into the langer Red.

Wieldund and his notigithors we "wanching the Sheyenne metors a section in a time, knowing that It's gaingt in got to thom;" said Cass Centry Englineer Kelth Beruft, and least manh law short at 41 feet, after as integen sundragging effort that related leaves and leiphed the time distal angely escape ringor larrages. The river's section level is projected in reach 38 feet to 34 feet by next weekond.

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"That profity much says what we heliowe,"
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"What we've been told in that the Blicyclute Is guiln to be the worst we've ever seen it."
Lancy said. "We em't take that lightly, When it comes in overland flooding, it sais off a lat

of things."

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The wentling service also said the Shevenne The weather service also said the Siegeone is expected in the in 22 feet in Valley City, should find miles from Page, by Tuesding, or 2 feet higher than the recent 20 feet with a 1880. All but one of Valley City's 11 bridges will be closed if than happens, officials way. They wentry that rising water will aprond quickly over the flat valley, broading roads and houses.

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## at NH Christian center

ALTON DAY, N.H. (AP) — Authorities are trying to determine the cause of an II-alarm fire that destroyed or diamaged dozens of astumet courses as a left-year-old Christian center. High winds on Rester Sunday holped fan the Rames of the About Bry Christian Conformed Center on Lake Witniplestusken, about 80 millos mortions of Chocaent, The sworm holp of loging yet of the center, and in liquidos to resident were exponed.

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"Foreupidy, it was at this time of year," same
Fire Mundal William Degrass said, "During the

Winosacs said they watched as buildings burned to the ground in minute.

"It was a base red inferen." Emply Pijean. whi has warked in the conference cause, tail the New Hampshite Union Leader. The first people were dwarfed by use line. The first instead of the New Hampshite were dwarfed by use line. The first instead like in yet compared in the first. Others described the contributing as minjane tanks rapshight. You would feel it in your sheet, then you saw the alwayrol if you in he sky: "Seemiata Beilean half WMCR." One such capitals in statistic condition, Others were treated for smake infinitely in Control of the contribution, Others were treated for smake infinitely in the minimum or on huntillon. The contribution is appeared to the state of the contribution. The contribution is appeared to the state of the who has worked at the conference us

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Redictor-News

## Dozens of cottages burn The twist and tuck of playing bridge

### By PHILLIP ALDER

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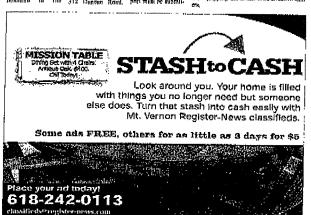
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53, 54, 55, 56, 57 and 58 in the City Park of Mt. Vernon, Illi nois, also the vacated alley lying on the West side of Lots 31

ley along the South side of Lot 32 and of that part of Herbert Street lying between Lots 51 and 52 in said City Park Addi-

Also the following described tracts abandoned and dis-claimed by the Missouri Pacific Railroad Company on August 19, 1987:

Strip No. 1: A strip of land, 66.0 feet in width, situated in the Northcast Quarter of the Southwest Quarter (NE/4 SW/4) of Section 31, Township 2 South, Range 3 East of the Third Principal Meridian, Mt. Ver-

non, Jefferson Coun-ty, Hiinois, being all of a strip of land for right of way, as con-veyed by George W. Evans and wife, and John R. Allen and wife to the Tamaroa & Mt. Vernon Railway Company, by Quitclaim Deed dat-December 20, 1892, and recorded March 2, 1893 in Book 46, ut puge 352 in the Deed Record

of said County. Strip No. 2: A strip of land 66.0 feet in width, situated in me Northwest Quarter of the Southenst Quarter of Section 31. Township 2 31, Township 2 South, Range 3 East of the Third Princi-pal Meridian, Mt. Vernon, Jefferson County, Illinois, being all of a strip of land for right of way, as conveyed by James E. Ferguson and wife to the Tamaroa & Mt. Vernon Railway Com-pony by Quitciaim Deed dated April 6, 1892, recorded May 14, 1892 in Book 46. page 77, In the

County. Strip No. 3: A strip of land, 100.0 feet in width, situated in the Ouarter of Section Quarter of Section 31, Township 2 South, Range 3 Eost of the Third Princi-pal Meridian, Mt. Vernon, Jefferson County, Illinois, being all of a strip of land for the right of way, as conveyed by Sarah M. Beal and Sarah M. Beal and pools at its facility at husband to the 312 Duncan Road.

non Railway Company, by Quitclaim Deed dated May 17, 1892, recorded May 20, 1892, in Book 46, at page 90 in the Deed Records of said

County.

4. A description of the improvements on the real estate is: Commercial property on 2+/- acres, located in central part of City of ing of a 13,000 sq.ft.

steel building; a 3,024 sq.ft. metal, word frame building used for manufacturing; a 1.080 sq.ft. pole building; 3-story concrete brick boilding with 2,860 sq.ft. per floor; a 42° x 43° oflice with air coulditioning and heat. This is primarily a manu-facturing facility with an office and storage. The topography level to slightly rolling and there are electric, natural gas, water, sewer and tele-

phone to the site.

5. 'The time and place of the sale are: April 30, 2009, at 10:00 A.M.. Jefferson County Courthouse, Mt. Vernou, Illinois. 6. The terms of the sale are: 10% of sale price at time of sale in form of cash or certified check; balance within ten (10) days.
7. Pursuant to 28 USC
2410, the property
will be sold subject to

Combs Mandy L. Combs

the redemption rights of the United States of America, which re-demptinn period expires one hundred and twenty (120) days from the date of sale. THE SHARP LAW FIRM, P.C. By:/s/Mandy L. Terry Sharp, ARDC 02569833 Mandy L. Combs, ARDC 6282863 sions.

Attorneys for Defen-dant-CounterPlaintiff THE SHARP LAW FIRM, P.C. 1115 Harrison P.O. Box 906 Mt. Vernon, IL 62864 (618) 242-0246 linda\peoplesnationalbank\infiniteaccess\noticeofsale NOTICE

Title: Notice of Petition by Royal Fiberglass Pools, Inc. for an Adjusted Standard before the Illinois Pollution Control Board Text: Royal Fiber-glass Pools, Inc., which manufactures fiberglass swimming

**MISSION TABLE** 

Dix, Illinnis, has filed a petition with the Illi-nois Pollution Control Board for an adjusted standard on March 31. 2009 (Board Docket

seeking an adjusted standard from 35 lll. Adm. Code § 215.301 (Use of Organic Ma-terial, otherwise known as the 8 lb/hr Rule).

Royal proposes the following adjusted standard applicable to its fiberglass swim-ming pool manufacnuring operation:

Pursuant to Section 28.1 of the Environmental Protection Act ("Act") (415 ILCS 5/28/1), the Board grants Royal Fiberglass Pools ("Royal") an adjusted standard from 35 Ill. Adm. Code. 215,301 ("8 lb/hr Rulc"), cf-

feetive 200\_. The adjusted standard applies to the emissions of volatile nrganic inaterial 1"VOM") into the atmosphere from Roy-al's swimming pool manufacturing facility

nois. 35 Ill. Adm. Code 215,301 does not apply. Royal re-mains subject to the

located in Dix, Illi-

following:

Royal must continue to investi-gate: fat swimming pool production methods that generate fewcr VOM emissions. and (b) materials that have a reduced VOM content and/or are compliant with the Composites MACT HAP content. Where practicable, Royal must substitute current materials with lower VOM content materials as long as such substitution dies not result in a net in-erease in VOM emis-

Royal must perform any reason-able test of new technologically or economically reasonable production incthods or materials applica-ble to the open-mold swimming pool manufacturing industry, which may reduce VOM emissions at Royal's facility which the Illinois Environmental Protection Agency (Agency) specifically requests in writing they do. After performance of such tests. Royal must

prepare and submit a report summarizing the activities and results of these investigatory efforts. The re-port must be submit-

ance and Enforcement

operate in full compliance with the Clean Air Act, its Clean Air Act Permit Program permit (once issued), the National Emissions Standard for Hazardous Air Pollutants for Reinforced Plastic Composite Manufacturing Facilities, set forth in 40 C.F.R. 63, Subpart WWWW as required

by Section 9.1(a) of the Act, and any other applicable regula-

Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a licaring request with the Illinois Pollinion Control Board within 21 days after the date of the publication of this notice. The hear-ing request should clearly indicate the docket number for the adjusted standard pro-

ceeding, as found in this notice, and must be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601."

yet at the center, and no injuries to residents were

summer, it's full."

looked like toys compared to the fire."

Others described the earth shaking as propane

were treated for smoke inhalation or exhaustion

fire and said that much of the area burned in the fire had yet to be searched thoroughly as of late Sunday night.

The center's Web site says its purpose is to

change lives in part by "encouraging commit-ment to Jesus." It says it tries to accomplish this through evangelism, encouragement of believers and equipping Christians in be effective lead-

STASHtoCASH

## Red River tributary poised to flood

HORACE, N.D. (AP) - Residents of the Fargo area already have survived one threatening flood crest this spring on the Red River and are lumkered down for another. For others in the region, it's been more like slow torture as they wait for high water to peak on one of the Red's little brothers.
"We've been waiting, watching, waiting.

It's laking its toll, no doubt about it," Gene Wicklund said of the rising Sheyenne River, which flows near Wicklund's house south of Horace and feeds into the larger Red.

Wicklund and his neighbors are "watching the Shevenne move a section at a time, know ing that it's going to get to them," said Cass
County Engineer Keith Berndt.

The Red River crested at Fargo and neigh-

boring Moorhead, Minn., late last month just short of 41 feet, after an inlense sandbagging effort that raised levees and helped the two cities largely escape major damage. The river's second crest is projected to reach 38 feet in 39 feet by next weekend.
The Sheyenne is the Red River's scenic trib-

mary. If begins in the center of North Dakola and meanders east and south before taking a fi-nal lonp north into the Red, which follows a northerly course along the Minnesota-North Dakota line.

"It moves pretty slow," said Kent Ness, who also lives south of Horace. "But it's going at a pretty good clip right now."

County officials have called in the Coast Guard to help prepare for potential emergency evacuations, possibly using air hoats or heli-copters, Cass County Sheriff Paul Laney said. "That pretty much says what we believe,"

Laney said On Saturday, officials started evacuating the North Dakota Veterans Home near the Sheyenne River in the town of Lisbon.

Administrator Mark Johnson said it might be a first for the 117-year-old Veterans Home. It's protected by sandbags and a dike, but a bridge to the home is at a low spot along the

Shevenne and could be blocked by high wa-

"What we've been told is that the Sheyenne is going to be the worst we've ever seen it," Lancy said. "We can't take that lightly. When it comes to overland flooding, it cuts off a lot

of things."

Flooding is a worry along rivers and creeks throughout North Dakola, will sandbagging construction or patrols during the weekend from Burlinglon in the northwest to Lisbon in the southeast. The National Weather Service issued a flood warning Sunday for counties in western and central North Dakota and said major flooding was expected in places along the Souris River, which loops through Minot in north-central Dakota.

On Saturday, soldiers hauled floodwalls and andbags from Fargo to Minot. About 900 Nalional Guard soldiers were on duty and more are on alert in ease they're needed.

The weather service also said the Sheyenne is expected to rise to 22 feet in Valley City, about 60 miles from Fargo, by Tuesday, or 2 feet higher than the record 20 feet set in 1882. All but one of Valley City's 11 bridges will be closed if that happens, officials say. They worry that rising water will spread

quickly over the flat valley, flooding roads and

Most residents of Horace, about 10 miles outside Pargo, and suburban West Fargo are protected from the Shevenne by a diversion canal that routes water outside the city during

"God bless the diversion," said West Fargo resident Jeff Simmons, who spent several days

clearing ice jams at bridges over the Sheyenne.
The rest of the county has to deal with flooding from the Sheyenne as well as the Wild Rice and Maple rivers, Laney said

"I think people realize it's here, and we've got to get things going," Lancy said of the ap-proaching crest. "We take the threat very seriously because we have no choice."

### Dozens of cottages burn The twist and tuck of playing bridge at NH Christian center

ALTON BAY, N.H. (AP) - Authorities are ying to determine the cause of an 11-alarm fire that destroyed or damaged dozens of summer cottages at a 146-year-old Christian center.

High winds on Easter Sunday helped fan the flames at the Alton Bay Christian Conference Center on Lake Winnipesaukee, about 30 miles nurtheast of Cancord. The season hadn't hegun

"Fortunately, it was at this time of year," state
Fire Marshal William Degnan said, "During the

summer, if's full."
Witoesses said they watched as buildings hurned to the ground in minutes.
"It was a huge red inferno," Emmy Pijoan, who has worked at the conference center, told the New Hampshire Union Leader. "The fire people were dwarfed by the fire. The fire trucks leaded liberteen statement and the second statement and the second statement."

tanks exploded.
"You could feel it in your chest, then you saw the shrapnel Hy up in the sky," Brendan Belleau told WMUR-TV.

One such explosion injured a firefighter; he was hospitalized in stable condition. Others

The center's approximately 140 coltages are close together in a network of narrow roads.

Authorities had not determined a cause of the

## By PHILLIP ALDER

deal and play too quickly at trick one, we often belly-flop to de-feal. But if we think first and dive later, we might execute a perfect rip, entering the water – making our contract – with hardly a splash on the surface of the pool. In today's deal, you are lbe de-clarer in three hearts. West leads

the spade nine, top of nothing. East takes the trick with his king and shifts to the diamond queen. How would you stroke from there?

Your three-diamond rehid was a help-suil game-try. It an-nonneed that your hand was too strong to pass, not strong enough to jump in four liearls, and you wanted your partner to look pri-marily at his diamond holding. If North had some help in diamonds (either high eards or shortage), he was to jump to four hearls. If, though, as here, he had weak diamonds, he was to refreat to three hearts. Note that North signed off despite having nine high-card points, a maximum for his original single raise.

You have five potential losers: two spades, two diamonds (if diamonds are 4-1, you will drown)



and one club (you know newspa per-deal club finesses always lose). However, you have nine tricks; one spade, five hearts, Iwo diamonds and one club (or one diamond and two clubs).

The key play is 10 duck your

diamoud ace at trick two. Then you have a reply to anything East

returns.

Try it and see. But if you win trick two, they can defeat you. Suppose you draw trumps, then play your second spade. East wins the trick, cashes his diamond jack, and shifts to a club.



From Appliance Repair to Trenching, check it out today! What does your home need?



Register-News Classified Section.

**EXHIBIT** 

2





Brandon W. Neuschafer Direct: (314) 259-2317 bwncuschafer@bryancave.com

APR 2 4 2009

STATE OF ILLINOIS Pollution Control Board

April 23, 2009

Illinois Pollution Control Board Attn: Clerk 100 W. Randolph St. James R. Thompson Center, Ste 11-500 Chicago, IL 60601-3218

Re:

Royal Fiberglass Pools, Dix, Illinois Petition for Adjusted Standard

Dear Clerk:

Enclosed please find an original and ten copies of a Notice of Publication of Petition for an Adjusted Standard to be filed on behalf of Royal Fiberglass Pools. Please filestamp one copy and return to me in the enclosed, self-addressed stamped envelope.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Brandon W. Neuschafer

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