

ILLINOIS POLLUTION CONTROL BOARD
December 6, 1989

IN THE MATTER OF

PROPOSAL OF THE UNION OIL)
COMPANY OF CALIFORNIA TO) R84-13
AMEND THE WATER REGULATIONS) (Site-Specific)

ORDER OF THE BOARD (by J. Marlin)

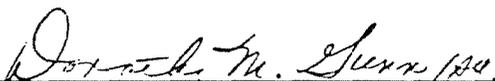
By letter dated November 13, 1989, Union Oil seeks to "transfer" its site-specific rule (35 Ill. Adm. Code 304.213) to a successor company. It is not entirely clear to the Board exactly what is being requested.

1) If the request is to modify the regulations which have been filed with the Secretary of State, such a request cannot be made by letter or motion, but must be made by the filing of a petition for rulemaking pursuant to Title VII of the Act and 35 Ill. Adm. Code Part 102. While the requested change may appear to be slight, the Board can amend rules only after completion of the regular rulemaking process. This request is therefore denied as improperly made. In the event that a rulemaking petition is received, it will be given a new docket number, as the Board does not reopen long-closed regulatory dockets.

2) If the request involves transfer of an NPDES permit only, this is a request which cannot be granted by the Board, and should be made to the Agency. Again, the request is denied as improperly made.

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 6th day of December, 1989 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board