

ILLINOIS POLLUTION CONTROL BOARD

June 7, 2001

IN THE MATTER OF:)
)
PETITION OF RHODIA, INC. AND) AS 01-9
THORN CREEK BASIN SANITARY) (Adjusted Standard - Water)
DISTRICT FOR AN ADJUSTED)
STANDARD FROM 35 ILL. ADM. CODE)
302.208 AND 304.105)

ORDER OF THE BOARD (by N.J. Melas):

On April 30, 2001, petitioners Rhodia, Inc. (Rhodia) and Thorn Creek Basin Sanitary District (TCBSD) filed a petition for an adjusted standard from 35 Ill. Adm. Code 302.208 and 304.105. Rhodia is seeking to expand its silica plant in Chicago Heights, Cook County, Illinois and consequently increase its discharges of total dissolved solids (TDS) and sulfates to the TCBSD treatment plant. The TCBSD treatment plant discharges to Thorn Creek approximately 10.1 miles upstream of its confluence with the Little Calumet River.

Pursuant to Board regulations, petitioner caused timely publication of the required notice on May 3, 2001, in *The Chicago Heights Star*, *The Hazel Crest-Country Club Hills Star*, *The Homewood-Flossmoor Star*, *The Matteson-Richton Park Star*, *The Park Forest Star*, and *The Crete-University Park Star*. Petitioner then timely filed a certificate of publication with the Board on May 4, 2001. See 35 Ill. Adm. Code 104.408(a) and 104.410.

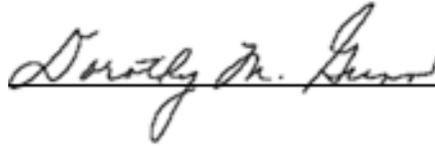
However, in the published notice, petitioners state that they are seeking relief from 35 Ill. Adm. Code 302.209 and 304.104. These sections of the Illinois administrative code are not relevant to the relief that petitioners are seeking. Section 104.408 of the Board's regulations states that the notice must contain "the regulatory standard (with appropriate Administrative Code citation) from which an adjusted standard is sought."

In the petition, petitioners state that they are seeking relief from 35 Ill. Adm. Code 302.208 and 304.105. Petitioners must publish a new notice setting forth the correct Illinois Administrative Code citations. The notice must follow all of the other requirements listed at Section 104.408 of the Board's procedural rules. Petitioners must also file a new certificate of publication for the new notice. Petitioners must file the new certificate of publication with the Board in accordance with Section 104.410 of the Board's procedural rules. Petitioner must properly publish the new notice and properly file the new certificate of publication with the Board by June 21, 2001, or this matter will be dismissed.

Since hearing has been waived, the Board will defer action in this matter until it receives a new certificate of publication.

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 7th day of June 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board