

ILLINOIS POLLUTION CONTROL BOARD  
February 21, 2002

IN THE MATTER OF: )  
)  
PETITION OF AMEROCK CORPORATION, ) R01-15  
ROCKFORD FACILITY, FOR SITE- ) (Site Specific Rulemaking - Water)  
SPECIFIC RULEMAKING PETITION FOR )  
AMENDMENT TO 35 ILL. ADM. CODE )  
304.403 )

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

Petitioner Amerock Corporation (Amerock) filed a petition for site-specific rulemaking in this matter on September 14, 2000. The petition was deficient in several respects. The Board requested that Amerock file an amended petition by November 6, 2000, or risk dismissal of its petition. On November 2, 2000, Amerock requested additional time to file the amended petition. The Board granted that request, and Amerock filed an amended petition on November 27, 2000.

On January 18, 2001, the Board issued an order in which it found that Amerock's amended petition was still deficient in several respects. The Board listed 21 deficiencies that Amerock had to address in a second amended petition. The Board set June 29, 2001, as the deadline for the filing of the second amended petition.

On June 21, 2001, Amerock filed a "Motion for Extension of Time to File Second Amended Petition". In that motion, Amerock stated that the Illinois Environmental Protection Agency (Agency) would soon be filing a regulatory proposal with the Board that would revise certain effluent limitations. Amerock claimed that some of the effluent limitations in the regulatory proposal are at issue in its petition. In addition, Amerock claimed that the upcoming Agency regulatory proposal might require it to generate additional information not already required by the Board's January 18, 2001 order. On the other hand, Amerock claimed that the regulatory proposal could moot its petition. Amerock requested that the Board allow it 60 days to review the Agency's regulatory proposal once it was filed. Amerock would then file a status report in which it would advise the Board of the time that it would need to prepare the necessary information in support of its site-specific rulemaking proposal, if necessary.

The Board accepted the Agency's regulatory proposal on December 6, 2001. See Water Quality Triennial Review: Amendments to 35 Ill. Adm. Code 302.208(e)-(g), 302.504(a), 302.575(d), 303.444, 309.141(h); and Proposed 35 Ill. Adm. Code 301.267, 301.313, 301.413, 304.120, and 309.157, R 02-11.

On December 11, 2001, the hearing officer in this matter ordered Amerock to provide a status report regarding the effect of docket R 02-11 on Amerock's petition by February 4, 2002. Amerock has not filed the status report.

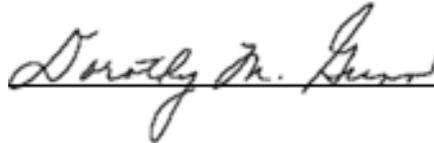
The Board has been more than generous with Amerock in granting requests for extensions of time and in allowing Amerock to file amended petitions. However, in the 17

months since Amerock first filed its petition, Amerock has yet to file an amended petition that the Board finds satisfactory. The Board provided Amerock sufficient time to consider docket R02-11, but the Board has not received the status report that it ordered Amerock to submit.

The Board therefore dismisses this docket without prejudice. Amerock may file another request for site-specific relief with the Board.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 21, 2002, 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