

ILLINOIS POLLUTION CONTROL BOARD
August 18, 1988

NEW JERSEY ZINC COMPANY,)
)
Petitioner,)
)
v.) PCB 88-130
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):

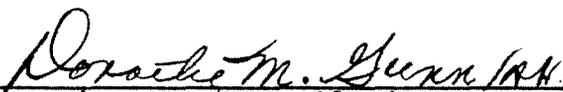
On August 18, 1988, New Jersey Zinc Company filed a plan for compliance and request for extension of variance. The Board must treat these documents as a new petition for variance. That petition is deficient in that it:

1. fails to specifically request or waive a hearing in this matter, as required by 35 Ill. Adm. Code 104.124. If hearing is waived, an affidavit in support of the facts alleged in the petition is required; and
2. fails to specify with sufficient clarity the exact timeframes required for completion of the IRM upstream trench lining, IRM slurry wall construction, and IRM collection sump, and how these interim dates relate to the requested final compliance date of November 30, 1993.

Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defect, this matter will be subject to dismissal.

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 18th day of August, 1988, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board