

ILLINOIS POLLUTION CONTROL BOARD  
August 4, 1988

THE B.F. GOODRICH COMPANY,            )  
  )  
                          Petitioner,        )  
  )  
                          v.                    )            PCB 88-117  
  )  
ILLINOIS ENVIRONMENTAL                )  
  PROTECTION AGENCY,                 )  
  )  
                          Respondent.        )

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon the July 29, 1988 filing of the petition for variance by Petitioner, B.F. Goodrich Company. Pursuant to 35 Ill. Adm. Code 104.121 the petition is deficient insofar as it fails to provide authority for its claim that granting the petition is not inconsistent with federal laws.

Page 16 of the petition states as follows:

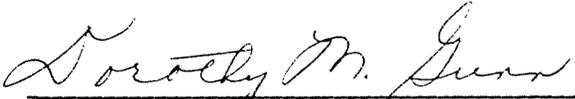
"Federal effluent limitations for BOD<sub>5</sub> and TSS for this plant cannot be calculated until after one year of biomonitoring testing is completed... Because federal effluent limitations have not yet been calculated, and they would be the applicable federal law, there now exists no federal law or regulations which might preclude and granting of a variance."

More than the above is needed to demonstrate consistency with federal law. Petitioner is hereby directed to file an amended petition curing the above noted defect.

If the Board does not receive an amended petition 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 7<sup>th</sup> day of August, 1988 by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board