

ILLINOIS POLLUTION CONTROL BOARD
February 9, 1995

THE JOINT PETITION OF)
THE ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY AND THE) AS 95-2
CITY OF METROPOLIS FOR AN) (Adjusted Standard-Water)
ADJUSTED STANDARD FROM 35)
ILL. ADM. CODE PART 304 FOR)
SUSPENDED SOLIDS, 5-DAY)
BIOLOGICAL OXYGEN DEMAND)
(BOD₅) AND AMMONIA NITROGEN)

ORDER OF THE BOARD:

On February 6, 1995, the Illinois Environmental Protection Agency and City of Metropolis filed a joint petition for adjusted standard accompanied by a motion to incorporate and a motion for waiver of the filing requirements. The petitioners are requesting that pursuant to 5 Ill. Adm. Code 101.106 the Board incorporate into the present proceeding Exhibits A through V filed in AS 94-17.¹ The petitioners are also requesting that the Board waive the filing requirement of 35 Ill. Adm. Code 101.106 which requires that four copies of the material to be incorporated be filed with the motion to incorporate.

The Board grants the motion to incorporate and waiver of the filing requirement. The Exhibits A through V to the petition from AS 94-17 shall be incorporated into AS 95-2.

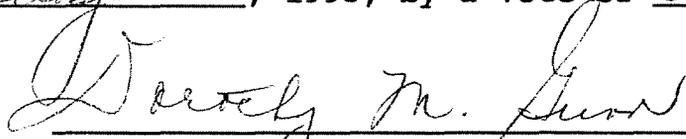
Pursuant to 35 Ill. Adm. Code 106.711, petitioner is required to publish notice of the filing of the petition in a newspaper of general circulation in the area likely to be affected. A certificate of publication shall be filed with the Board within 30 days of the filing of the petition. (35 Ill. Adm. Code 106.712.) Failure to publish the required notice or file a certificate of notice with the Board may subject this matter to dismissal.

Petitioner has requested a hearing in this matter. (Pet. at 18.) However, the Board will not accept the petition for hearing until after receipt of the certificate of publication.

IT IS SO ORDERED.

¹ AS 94-17 was dismissed on January 11, 1995 as petitioners' notice had not been published pursuant to Section 28.1 of the Act.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above order was adopted on the 9th day of February, 1995, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board