

ILLINOIS POLLUTION CONTROL BOARD
December 16, 1993

UNO-VEN COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 93-197
)	(Variance)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter comes before the Board on its own motion. On October 22, 1993, UNO-VEN Company (UNO-VEN) filed a petition for variance. The petition seeks an extension of the effective date of the site-specific rule contained in 35 Ill. Adm. Code 304.213 until April 30, 1994. On January 27, 1993, UNO-VEN filed a petition to renew the site-specific rule. (See In the Matter of: Petition of UNO-VEN to Amend Regulations Pertaining to Water Pollution, R93-8.)

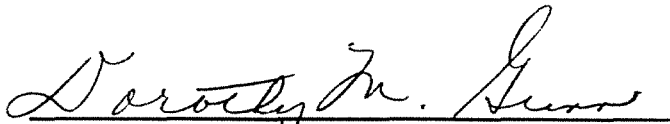
UNO-VEN contends that the extension of the effective date of the site-specific rule is needed because it is unlikely that the new site-specific rule proposed in R93-8 will be effective prior to December 31, 1993. However, the Board has today adopted a final order in R93-8 adopting the new site-specific rule and will file the rule with the Secretary of State before December 31, 1993. Therefore, the new site-specific rule will be effective prior to December 31, 1993. As the expiration date of the site-specific rule is extended in the adopted rule, the Board finds the petition for variance to be moot. Accordingly, the Board dismisses the petition for variance and closes this docket.

The Board also notes that on December 10, 1993, the Environmental Protection Agency (Agency) filed its recommendation in this matter along with a motion to file the recommendation instant. The Board finds the Agency's motion to be moot due to the dismissal of this matter.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act, (415 ILCS 5/41 (1992)), provides for appeal of final orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246, Motion for Reconsideration.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 16th day of December, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board