

ILLINOIS POLLUTION CONTROL BOARD
October 1, 1992

IN THE MATTER OF:)
)
JOINT PETITION OF DETROIT)
DIESEL CORPORATION AND THE) AS 92-4
MANUFACTURERS ASSOCIATION) (Adjusted Standard)
FOR ADJUSTED STANDARD FROM)
35 ILL. ADM. 240.141)

IN THE MATTER OF:)
)
JOINT PETITION OF NAVISTAR)
INTERNATIONAL TRANSPORTATION) AS 92-11
AND THE MANUFACTURERS) (Adjusted Standard)
ASSOCIATION FOR ADJUSTED)
STANDARD FROM 35 ILL. ADM.)
CODE 240.141)

IN THE MATTER OF:)
)
JOINT PETITION OF CUMMINS)
ENGINE COMPANY AND THE) AS 92-12
MANUFACTURERS ASSOCIATION) (Adjusted Standard)
FOR ADJUSTED STANDARD FROM)
35 ILL. ADM. CODE 240.141)

ORDER OF THE BOARD (by J. Anderson):

On September 29, 1992, the Illinois Environmental Protection Agency (Agency) filed a motion requesting the Board to 1) continue the October 14, 1992 hearing in this matter and 2) separate this docket into three dockets for Detroit Diesel Corporation and the Engine Manufacturers Association, Navistar International Transportation Corporation and the Engine Manufacturers Association, and Cummins Engine Company and the Engine Manufacturers Association. The Agency asserts that it has discussed the motion with the petitioners and that the petitioners concur in the Agency's motion.

In support of its request to separate dockets, the Agency states that the separation is necessary because each petitioner has requested different a opacity standard and has taken a different technical approach to support its petition. The Agency adds that it believes that a hearing may not be necessary for each petitioner.

0136-0265

In support of its request for continuance, the Agency states that it has been conferring with the petitioners in the past few weeks and that it has suggested, and petitioners have agreed, that the petitioners will submit additional information to the Board to complete the record for this case. The Agency adds that, because a hearing may not be necessary for each petitioner, it believes that it would be beneficial to keep the hearing dates open until certain "relevant data from the California Air Resources Board (CARB) data [sic] has arrived and all of the other technical data is before the Board."

The Board hereby grants the Agency's request for continuance of the October 14, 1992 hearing in this matter. However, the Board requests the Agency to explain what "relevant CARB data" it expects to receive, how the data is relevant to this proceeding, when it expects to receive it. The Board also wishes to know when it can expect to receive all of the technical data. The Agency's response should be received by the Board no later than October 15, 1992.

The Board also grants the Agency's request that this matter be separated into three dockets. Accordingly, Detroit Diesel Corporation and the Engine Manufacturers Association shall remain in the current docket (i.e., AS 92-4). All future filings in the docket shall be captioned as follows: In the Matter of: Joint Petition of Detroit Diesel Corporation and the Manufacturers Association for Adjusted Standard from 35 Ill. Adm. Code 240.141. The adjusted standard petition of Navistar International Transportation Corporation and the Engine Manufacturers Association shall be assigned to docket AS 92-11. All future filings in AS 92-11 shall be captioned as follows: In the Matter of: Joint Petition of Navistar International Transportation Corporation and the Manufacturers Association for Adjusted Standard from 35 Ill. Adm. Code 240.141. The adjusted standard petition of Cummins Engine Company and the Engine Manufacturers Association shall be assigned to docket AS 92-12. All future filings in AS 92-12 shall be captioned as follows: In the Matter of: Joint Petition of Cummins Engine Company and the Manufacturers Association for Adjusted Standard from 35 Ill. Adm. Code 240.141.

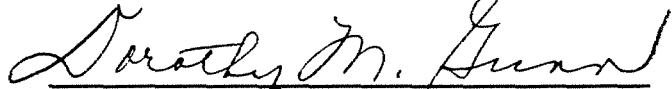
Finally, the Board directs all of the petitioners to file amended petitions and, if applicable, new attachments, in each of the three dockets and in accordance with the Board's procedural rules. Because a filing fee has already been paid in AS 92-4, however, the Board waives the filing fee for AS 92-11 and AS 92-12. The amended petitions must be filed with the Board on or before November 13, 1992, or the dockets will be dismissed. To ensure that proper notification is given of the redocketing, the Board directs all of the petitioners to publish notice of their amended petitions in accordance with 35 Ill. Adm. Code 106.711, and file their certificates of publication with the Board in

0136-0266

accordance with 35 Ill. Adm. Code 106.712.

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 1st day of October, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0136-0267