

ILLINOIS POLLUTION CONTROL BOARD  
August 22, 1991

IN THE MATTER OF: )  
 )  
PETITION OF DART CONTAINER ) AS 91-6  
CORPORATION OF ILLINOIS for ) (Adjusted Standard)  
Adjusted Standard from 35 )  
Ill. Adm. Code 218.980 )

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

On July 19, 1991, Dart filed a petition for an adjusted standard to Section 218.980 of Subpart TT of the air rules. On August 6, 1991 the Agency moved for dismissal of the petition as premature, in that Section 218.980 was not in effect at the time of the filing of the petition. Dart responded on August 19, 1991, asserting that the filing was made due to uncertainty concerning the inter-relation between these rules and federal rules.

Section 218.980 was accepted for filing by the Secretary of State on August 16, 1991. While the Board in the future will not accept premature filings, in this case the confusion expressed by Dart adequately explains its action. The Board denies the motion to dismiss, but will grant the Agency's alternative request. The Agency is granted forty-five days from the date of this Order in which to file its response to the petition.

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 22<sup>nd</sup> day of August, 1991, by a vote of 7-0.

Dorothy M. Gunn  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board