

ILLINOIS POLLUTION CONTROL BOARD  
September 7, 2000

XCTC LIMITED PARTNERSHIP, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 01-46  
 ) (Permit Appeal - Air, Third Party)  
 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Respondent. )  
 )

ORDER OF THE BOARD (by C.A. Manning):

On September 1, 2000, the Board received XCTC Limited Partnership's (XCTC) third-party appeal request that the Board review certain provisions of the Clean Air Act Permit Program (CAAPP) permit that the Illinois Environmental Protection Agency (Agency) issued on August 4, 2000, to Georgia Pacific Tissue, L.L.C. (Georgia Pacific), for its facility located at 13101 South Pulaski Road, Alsip, Cook County, Illinois.

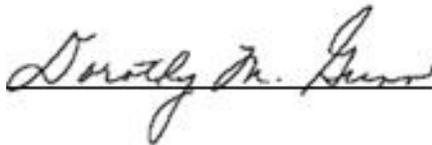
Although XCTC no longer owns the facility, the petition asserts that XCTC remains an interested party in this determination because it constructed and operated the facility and because it retains certain obligations to the purchaser and successors with respect to the permitting of the facility. XCTC challenges various special permit conditions on the grounds that the facility should not be considered subject to the Board's Part 203 rules because the facility's point source emissions did not exceed applicable triggers for a new source or major modification of an existing source.

The Board accepts this matter for hearing. On its face the petition establishes that XCTC has standing to appeal because XCTC filed comments on the draft permit. See 35 Ill. Adm. Code 105.102(c)(3).

Hearings shall be scheduled and completed in a timely manner pursuant to the applicable statutory decision deadline or as extended by waiver. The assigned hearing officer shall inform the Clerk of the Board of the time and location of hearing at least 40 days in advance of hearing so that a 30-day public notice of hearing may be published. Unless otherwise ordered by the hearing officer, the Agency shall file the record of its review of the CAAPP permit application within 30 days after service of the petition. See 35 Ill. Adm. Code 105.102(c)(7).

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 7th day of September 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board