

ILLINOIS POLLUTION CONTROL BOARD
December 5, 1996

W.R. MEADOWS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 97-58
)	(Variance - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. McFawn):

This matter is before the Board on an amended petition for variance filed by petitioner W.R. Meadows, Inc. (Meadows) on November 18, 1996, regarding its asphalt-saturated expansion joint material manufacturing operation at its facility located in Hampshire, Kane County, Illinois. Meadows filed its amended petition in response to the Board's October 17, 1996 order, which found Meadows' initial petition, filed September 25, 1996, to be deficient.

Because we find that Meadows' amended petition satisfies the informational requirements set forth at 35 Ill. Adm. Code 104.121, this matter is accepted for hearing. The filing of the amended petition restarts the Board's decision timeclock in this matter. Absent any future waivers of the decision deadline, the statutory decision deadline is now March 18, 1997; the Board meeting immediately preceding the due date is scheduled for March 6, 1997.

The hearing must be scheduled and completed in a timely manner, consistent with Board practices and the applicable statutory decision deadline, or the decision deadline as extended by a waiver (petitioner may file a waiver of the statutory decision deadline pursuant to 35 Ill. Adm. Code 101.105). The Chief Hearing Officer shall assign a hearing officer to conduct hearings. The Clerk of the Board shall promptly issue appropriate directions to the assigned hearing officer consistent with this order.

The assigned hearing officer shall inform the Clerk of the Board of the time and location of the hearing at least 40 days in advance of hearing so that public notice of hearing may be published. After hearing, the hearing officer shall submit an exhibit list, a statement regarding credibility of witnesses and all actual exhibits to the Board within five days of the hearing. Any briefing schedule shall provide for final filings as expeditiously as possible and, in time-limited cases, no later than 30 days prior to the decision due date, which is the final regularly scheduled Board meeting date on or before the statutory or deferred decision deadline.

If after appropriate consultation with the parties, the parties fail to provide an acceptable hearing date or if after an attempt the hearing officer is unable to consult with the parties, the hearing officer shall unilaterally set a hearing date in conformance with the schedule above. The hearing officer and the parties are encouraged to expedite this proceeding as much as possible. The Board notes that Board rules (35 Ill. Adm. Code 104.180) require the Agency to file its recommendation for disposition of the petition within 30 days of filing of the petition.

Finally, we note that, in its amended petition, Meadows is seeking to increase its production to "800 pallets per month." Meadows current permit limits its VOM emissions to 4.0 tons per month and 20.5 tons per year. Meadows is directed to submit to the Board and the Agency an estimate of the VOM emissions level at the proposed production rate of 800 pallets per month within 14 days of the date of this order.

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 _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board