

ILLINOIS POLLUTION CONTROL BOARD
May 24, 1990

IN THE MATTER OF:)
)
CALUMET INDUSTRIES, INC.) R89-18
AIR RULE REVISION, 35 ILL.) (Rulemaking)
ADM. CODE 215.620 AND 215.621)

ORDER OF THE BOARD (by J. Marlin):

This docket was opened in response to a letter received November 20, 1989, in which Calumet Industries suggested modification of 35 Ill. Adm. Code 215.620 and 215.621. Calumet seeks to have reference to a substance currently identified by manufacturer's name deleted and replaced by a generic description of the substance. By Order of December 20, 1989, the Board construed this letter as a petition for rulemaking, but noted that the petition failed to satisfy the information requirements of Title VII of the Act and 35 Ill. Adm. Code Part 102.

The Board accordingly gave Calumet 30 days in which to file an amended petition, noting that if no amendment was filed "the petition will be subject to dismissal".

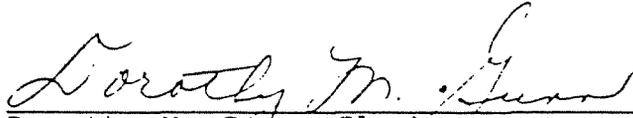
On January 18 Calumet moved for a 30 day extension of time in which to respond to the December 20 Order, which the Board granted on January 25, 1990. Calumet's amended petition was due to be filed on or before February 19, 1990.

Now, some 90 days after the extended deadline has passed, no amended petition has been received. The Board accordingly finds the appropriate action to be dismissal of the petition and closing of the docket. Calumet is free to file a new petition, if it so chooses, which will be given a new docket number. The Board advises Calumet, however, that it has recently amended its Part 102 rules, and the requirements for a sufficient petition have changed. In the event Calumet chooses to proceed, it should request a copy of the Board's Order in R88-5B, In the Matter of : Procedural Rules Revision, 35 Ill. Adm. Code 102 and 106 (Subparts D, E, and F) (May 10, 1990).

Accordingly, this petition is dismissed and the docket is closed.

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 24~~th~~ day of May, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board