

ILLINOIS POLLUTION CONTROL BOARD
April 6, 1989

GATX TERMINALS CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 89-59
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by B. Forcade):

On April 4, 1989, the GATX Terminals Corporation ("GATX") filed a petition for variance from 35 Ill. Adm. Code 201.142 and 201.143. That petition is deficient in that:

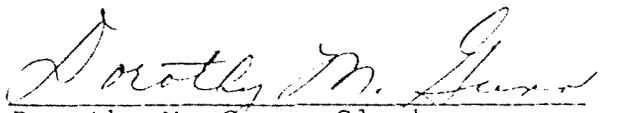
It fails to indicate whether relief can be granted consistent with federal law as required by 35 Ill. Adm. Code 104.122(a), specifically, whether relief can be granted in light of construction bans imposed on Illinois by USEPA

The Board also notes that hearing in this matter is mandatory and will be set as soon as an amended petition is filed with the Board, restarting the statutory 120-day decision deadline.

Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defect, this matter will be subject to dismissal.

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 6th day of April, 1989, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board