

ILLINOIS POLLUTION CONTROL BOARD
May 14, 1987

IN THE MATTER OF:)
)
PETITION OF GIFFORD-HILL) R84-45
AMERICAN LOCK JOINT, INC.)
FOR SITE SPECIFIC RELIEF)
FROM 35 ILL. ADM. CODE)
807.305)

INTERIM ORDER OF THE BOARD (by J. Anderson):

On April 30, 1987, the Board adopted a Proposed Opinion and Order directing the Clerk to submit the proposed rules to the Joint Committee on Administrative Rules, pursuant to Second Notice requirements of the Administrative Procedures Act. In the Opinion, the Board limited the relief to Gifford-Hill only, and indicated that any successors in interest would be required to make a showing that they were entitled to similar relief. Due to press of other business, the Second Notice submittal has not as yet been transmitted.

On May 13, 1987, the Board received a letter which states in pertinent part that:

"GHA Lock Joint, Inc., sold the South Beloit plant to The Cretex Companies, Inc., located in Elk River, Minnesota. The South Beloit, Illinois plant was renamed Cretex Pressure Pipe, Incorporated. Both the hourly and salaried staff remain. Cretex will continue to manufacture Lock Joint concrete products.

Cretex Pressure Pipe, Inc., shall continue to meet the disposal activities as required of Gifford-Hill American Lock Joint, Incorporated, by the Illinois Pollution Control Board.

In light of these changed circumstances, the Board hereby vacates its April 30, 1987 Opinion and Order.

It would appear that Cretex is requesting the Board to grant to it the regulatory relief which the Board was prepared to grant to Gifford-Hill. However, the only sworn testimony in this record is that presented by Gifford-Hill. If Cretex wishes to adopt as its own and reaffirm the testimony presented on behalf of Gifford-Hill concerning all aspects of the manufacturing and disposal activities, Cretex should do so by way of affidavit from personnel having authority to so bind the corporation. In this

event, the Board would consider proposing the rules without holding an additional hearing. If, however, circumstances have substantially changed, Cretex should so inform the Board, as an additional hearing would then be required to update this record.

On or before July 1, 1987, Cretex is directed to file a response to this Order. If no response is received by that time, this proceeding 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 Interim Order was adopted on the 14th day of May, 1987, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board