

ILLINOIS POLLUTION CONTROL BOARD
December 7, 2000

IN THE MATTER OF:)
)
PETITION OF BORDEN CHEMICALS &) AS 01-06
PLASTICS OPERATING LIMITED) (Adjusted Standard - Water)
PARTNERSHIP FOR AN ADJUSTED)
STANDARD FROM 35 ILL. ADM. CODE)
314.105 AS IT APPLIES TO 35 ILL. ADM.)
CODE 302.211(b)-(e))

ORDER OF THE BOARD (by M. McFawn):

On October 31, 2000, Borden Chemicals & Plastics Operating Limited Partnership (Borden) filed its Petition for Adjusted Standard pursuant to Section 28.1 of the Illinois Environmental Protection Act (Act), 415 ILCS 5/28.1 (1998). Borden seeks an adjusted standard for its PVC manufacturing plant in Illiopolis, Illinois, from the general use water quality standards for temperature set forth at 35 Ill. Adm. Code 302.211(b) through (e).

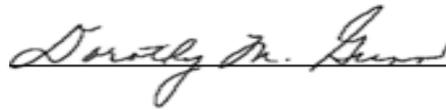
Section 28.1 of the Act and 35 Ill. Adm. Code 106.711 require publication of a notice of an adjusted standard proceeding in a newspaper of general circulation in the area affected by the petitioner's activity. The notice must be published within 14 days of the filing of the petition. On November 21, 2000, Borden filed a "Certificate of Publication," indicating that notice of its petition was published in the *Illiopolis Sentinel* on November 9, 2000.

The Board finds that the notice meets the requirements of Section 28.1 of the Act and 35 Ill. Adm. Code 106.711, and accepts this matter for hearing. Hearing is to be scheduled and completed in a timely manner. The assigned hearing officer must inform the Clerk of the Board of the time and location of the hearing at least 40 days in advance of hearing so that a 30-day public notice of hearing may be published.

Also on October 31, 2000, Borden filed a request to incorporate materials from a prior proceeding pursuant to Sections 101.106 and 106.708 of the Board's regulations. Borden requests that the Board incorporate Borden's verified amended petition for variance, filed on July 11, 1997, Borden Chemicals and Plastics Operating Limited Partnership v. Illinois Environmental Protection Agency (PCB 97-102), July 11, 1997. The Board grants Borden's request, and orders the clerk to incorporate Borden's verified amended petition for variance from the record in PCB 97-102.

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 December 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board