

ILLINOIS POLLUTION CONTROL BOARD
May 27, 1982

OLIN CORPORATION,)
)
 Petitioner,)
)
 v.)
) PCB 80-126
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by D. Anderson):

On April 19, 1982 the Illinois Environmental Protection Agency (Agency) filed a motion for rehearing and reconsideration of the Board's Opinion and Order of February 17, 1982 in this NPDES permit appeal. Olin Corporation (Olin) filed a response on May 17, 1982. The Board has granted both parties extensions of time in which to file pleadings (Orders of April 1, 1982 and May 13, 1982).

In interpreting Rule 905(c) of Chapter 3 [codified as Sec. 309.108(c)], the Board referred to comparable federal regulations at 40 CFR 124.7 and 124.8(b)(4). The Agency correctly notes that, since it reviewed the permit, the federal regulations have been renumbered, at the time the RCRA permit rules were adopted (May 19, 1980). At the time the Agency acted, the comparable provisions were 40 CFR 124.33 and 124.34 (1979). However, these provisions were almost identical to the current 40 CFR 124.7 and 124.8(b)(4). The Opinion will be modified only to acknowledge the change in federal rules. The motion is granted to that extent and otherwise denied.

IT IS SO ORDERED.

Mr. Goodman dissented.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27th day of May, 1982 by a vote of 4-1.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board