

ILLINOIS POLLUTION CONTROL BOARD
February 5, 2004

IN THE MATTER OF:)
)
PETITION OF CROWNLINE BOATS, INC.) AS 04-01
FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard)
35 ILL. ADM. CODE 215.301)

ORDER OF THE BOARD (by N.J. Melas):

On December 5, 2003, Crownline Boats, Inc. (Crownline) filed a petition for an adjusted standard from 35 Ill. Adm. Code 215.301, commonly known as the "8lb/hr Rule," as that Board regulation pertains to the emissions of volatile organic material (VOM) at Crownline's West Frankfort, Illinois boat manufacturing facility. Crownline's facility is located at 11884 Country Club Road, West Frankfort, Franklin County. In the petition, Crownline requests a hearing in this matter. The Illinois Environmental Protection Agency (Agency) filed a recommendation that the Board grant Crownline's petition on January 22, 2004. As discussed below, the Board accepts Crownline's petition for hearing.

Accompanying the petition, Crownline filed a motion for expedited review in this matter. Crownline asserts that the Agency recently issued Crownline a Title V CAAPP Permit and Title I Permit, requiring Crownline either to obtain an adjusted standard from 35 Ill. Adm. Code 215.301 or demonstrate compliance with that section by December 31, 2004. The Board grants Crownline's motion for expedited review.

Also on December 5, 2003, Dale A. Guariglia filed a motion requesting permission to appear *pro hac vice* on behalf of petitioner in this proceeding in accordance with Section 101.400(a)(3). 35 Ill. Adm. Code 101.400(a)(3). Mr. Guariglia is a member in good standing and admitted to practice in the State of Missouri. The Board grants Mr. Guariglia's motion to appear *pro hac vice*.

Section 28.1 of the Environmental Protection Act (Act) (415 ILCS 5/28.1 (2002)) and 35 Ill. Adm. Code 104.408 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 filing a petition for an adjusted standard with the Board. *See* 35 Ill. Adm. Code 104.408(a). As required by 35 Ill. Adm. Code 104.410, Crownline timely filed a certificate of publication with the Board, postmarked December 30, 2003, indicating that notice of the petition was published in the *West Frankfort Daily American* on December 10, 17, and 24, 2003.

The Board finds that the notice meets the requirements of Section 28.1 of the Act and Section 104.408 of the Board's procedural rules. The Board also finds the petition meets the petition content requirements of the Board's procedural rules, and accepts this matter for hearing. *See* 35 Ill. Adm. Code 104.406. A 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

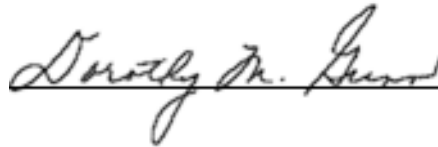
hearing at least 40 days in advance of hearing so that a 30-day public notice of hearing may be published.

CONCLUSION

The Board grants Crowline's motion for expedited review, grants Mr. Guariglia's motion to appear *pro hac vice*, and accepts Crowline's petition for hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 5, 2004, by a vote of 4-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board