

ILLINOIS POLLUTION CONTROL BOARD
October 29, 1992

IN THE MATTER OF:)
)
PETITION OF ILLINOIS POWER COMPANY)
(CLINTON POWER STATION), FOR) PCB 92-142
HEARING PURSUANT TO 35 ILL. ADM.) (Thermal Demonstration)
CODE 302.211 TO DETERMINE)
SPECIFIC THERMAL STANDARDS)

ORDER OF THE BOARD (by G. T. Girard):

On September 30, 1992, the petitioner filed a motion regarding certain procedural issues. The petitioner asked for relief from certain of the Board's procedural rules. Specifically the petitioner asked that it be allowed to file an affidavit by Mr. James A. Smithson at a later date. In addition, the petitioner asked that it be allowed to file appendices to Exhibit 3 on disks rather than in hard copy and also asked to be relieved of the requirement to file Exhibits 2 and 3 with the Illinois Environmental Protection Agency. The petitioner explained that Exhibits 2 and 3 were already in the Agency's possession and agreed to provide additional copies if needed at a later date.

The Board grants the requests filed by petitioner for relief from certain procedural requirements regarding the filing of the affidavit and the requirement for filing Exhibits 2 and 3 with the Agency. However, with regard to the filing of the appendices on disk, the Board directs the petitioner to file two hard copies of the material contained on the disk. The Board will also accept the disk filing.

On October 21, 1992, the Board received a motion for clarification of the Board's October 16, 1992 order, which placed the filings by petitioner into one docket. Petitioner stated in this motion that it is seeking two forms of relief. Petitioner is seeking a permanent specific thermal standard under 35 Ill. Adm. Code 302.211(j)(5). In addition, petitioner is seeking a determination that discharges from their operation have not caused and cannot be reasonably expected to cause significant damage to the receiving waters pursuant to 35 Ill. Adm. Code 302.211(f). Petitioner stated that it was seeking an order from the Board to clarify that it may seek relief from both those provisions in this docket.

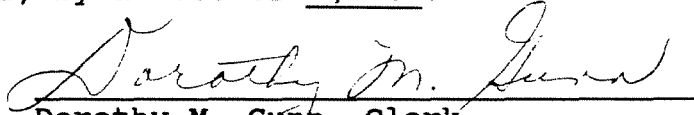
The Board notes that the documentation necessary to receive the relief requested is very similar and the findings which the Board must make to grant the relief are also similar. For these reasons as well as administrative economy the Board placed the

0137-0081

filings by petitioner in one docket. The petitioner may seek the relief requested in both filings in this docket.

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 29th day of October, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board