

ILLINOIS POLLUTION CONTROL BOARD
March 11, 1992

IN THE MATTER OF:)
)
PETITION OF PEORIA DISPOSAL CO.) AS 91-3
FOR AN ADJUSTED STANDARD FROM) (RCRA Delisting)
35 Ill. Adm. Code 721.Subpart D) (Adjusted Standard)

ORDER OF THE BOARD (by M. Nardulli):

This matter is before the Board on the amended petition filed by Peoria Disposal Co. on March 2, 1992. That petition was filed in response to the Board order of July 11, 1991. The Board also received a request for public hearing filed by Envirite Corp. on March 9, 1992.

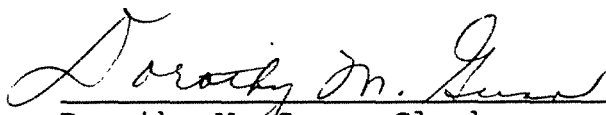
Peoria Disposal Co. filed the amended petition with certain claimed trade secret materials omitted pursuant to 35 Ill. Adm. Code 120. Accompanying the copy bearing the claimed trade secret materials was a letter. That letter acknowledges that the claimed materials were part of the petition filed April 11, 1991, and that the Board granted provisional protection to that material on July 11, 1991 pursuant to a requested waiver of the statutory deadlines for Board determination. The Board construes this filing as a waiver of the deadline for a Board determination on the claimed trade secrets.

Section 106.415 of the Board's adjusted standard procedures states that "the Board will hold at least one public hearing prior to granting an adjusted standard" from a state RCRA rule. Therefore, the Envirite request for public hearing and Peoria Disposal waiver of hearing are moot.

The Board hereby acknowledges receipt of the amended petition in this matter. The hearing officer shall proceed to confer with the parties and arrange a date for public hearing consistent with the Board's resource constraints and the expeditious disposition of this matter.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Order was adopted on the 11th day of March, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board