

ILLINOIS POLLUTION CONTROL BOARD

July 27, 2000

IN THE MATTER OF:)
)
PETITION OF HERITAGE) AS 00-15
ENVIRONMENTAL SERVICES, INC.) (Adjusted Standard - RCRA)
FOR AN ADJUSTED STANDARD FROM 35)
ILL. ADM. CODE 702.126(d)(1))

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

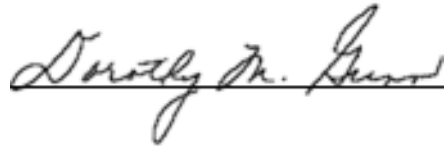
On May 17, 2000, Heritage Environmental Services, LLC, filed this petition for an adjusted standard pursuant to Section 28.1 of the Environmental Protection Act (415 ILCS 5/28.1)(Act). The petitioner requests that the Board grant an adjusted standard from 35 Ill. Adm. Code 702.126(d)(1), as those rules apply to the RCRA permitted storage facility owned by petitioner in Lemont, Cook County, Illinois.

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 July 17, 2000, petitioner filed a letter indicating that it had filed a "Certificate of Publication," on June 2, 2000, incorrectly captioned as AS 00-14. The petitioner asked that the certificate be placed in the AS 00-15 docket. That June 2, 2000 certificate was originally docketed by the Clerk in the AS 00-14 proceeding. The June 2, 2000 certificate indicates that notice of the petition was published in the *Liberty Suburban Newspapers* for one week beginning on May 25, 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. Hearings shall be scheduled and completed in a timely manner. The assigned hearing officer shall inform the Clerk of the Board of the time and location of hearing at least 40 days in advance of hearing so that a 30-day public notice of hearing may be published. Unless otherwise ordered by the hearing officer, the Illinois Environmental Protection Agency shall file a response including its recommendations concerning the Board's proposed action on this petition within 45 days after service of the petition. See 35 Ill. Adm. Code 106.505(a).

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 27th day of July 2000 by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board