

ILLINOIS POLLUTION CONTROL BOARD
June 5, 1986

REILLY TAR AND CHEMICAL CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 86-67
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Anderson):

On May 13, 1986 Reilly Tar and Chemical Corporation filed a petition for variance from certain of the Board's RCRA regulations.

This is the first RCRA variance request, and the petition is incomplete in some respects, as the RCRA variance procedural rules contain certain special provisions. The Board urges the petitioner to review all of them prior to filing an amended petition.

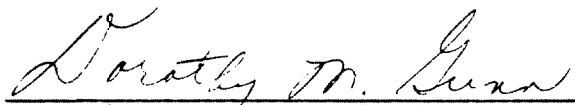
The petition is deficient in that it fails to comply with the following RCRA procedural requirements adopted by the Board in R84-10 on December 20, 1984; all section references are to 35 Ill. Adm. Code:

1. Section 104.122(e). No indication of compliance with federal law. (See Section 104.122(e)).
2. Failure to identify as a RCRA variance. (See Section 104.126(a)).
3. Failure to attach portion of RCRA permit application. (See Section 104.126(c)).
4. Failure to provide proof of service on the USEPA. (See Sections 104.126(d) and 104.142(a)).
5. The petition also does not contain a compliance plan. (See Section 104.121(f)). Intent to ask for variance extensions indefinitely is not an acceptable approach.

Unless an amended petition curing the above-noted deficiencies is filed within 45 days of the date of this Order, this matter will be subject to dismissal.

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 54 day of June, 1986, by a vote of 7-0.



Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board