

ILLINOIS POLLUTION CONTROL BOARD
February 26, 1986

AMERICAN STEEL CONTAINER)
COMPANY, DRUM SHOP,)
)
Petitioner,)
)
v.) PCB 86-23
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B. Forcade):

On February 18, 1986, American Steel Company, Drum Shop ("American Steel") filed a Petition for Variance from certain air pollution control regulations. That Petition is deficient in that it fails:

- 1) To provide sufficient background information as required by 35 Ill. Adm. Code 104.121;
- 2) To provide a plan for full compliance with the Act and regulations; and
- 3) To provide a statement on consistency with federal law as required by Section 104.122.

American Steel's request in paragraph five to incorporate prior proceeding documents is denied. The Board may take official notice of its prior Opinions and Orders, however, American Steel is requested to provide copies of any additional documents, pleadings or records from prior proceedings. However, this does not prohibit the Board from utilizing other documents in the record if the record can be retrieved from storage. Additionally, American Steel's Petition references the old Air Pollution Control Regulations. Those regulations have been codified at 35 Ill. Adm. Code Subtitle B, Chapter 1. American must amend its petition to reflect the current codified regulations from which it seeks variance.

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

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certifies that the above Order was adopted on the 26th day of February, 1986, by a vote of 7-0.

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