

ILLINOIS POLLUTION CONTROL BOARD  
January 7, 1988

CATERPILLER, INC., )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 88-6  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

OPINION AND ORDER OF THE BOARD (by J. Anderson):

This provisional variance request comes before the Board upon a January 7, 1988 Recommendation of the Illinois Environmental Protection Agency [Agency]. The Agency recommends that a 30-day provisional variance be granted to Caterpillar from 35 Ill. Adm. Code 722.134(b) and Section 37 of the Environmental Protection Act; thereby allowing hazardous wastes to remain on-site in excess of the 90-day limitation imposed by Section 722.134. The Agency has found that compliance with Section 722.134(b) would impose an arbitrary or unreasonable hardship and recommends that Petitioner be granted the requested provisional variance.

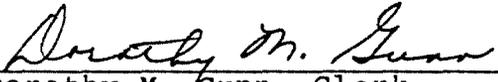
Petitioner, Generator I.D. #ILDO52664604, had temporarily stored 12,000 gal. of waste contaminated with less than 1% of 1,1,1, trichloroethane [F001]. Petitioner had contracted with Trade Waste Incineration [ILDO98642424] to dispose of the waste; but this was not possible within the 90 day limitation imposed by 35 Ill. Adm. Code Section 722.134. As of December 8, 1987, approximately 9-10,000 gal. was removed. Petitioner requests the additional 30 days in order to remove the remaining waste; clean the tanks and return to normal operations.

The Board hereby grants Petitioner a 30-day Provisional Variance pursuant to Section 722.134(b) from December 9, 1987 to January 8, 1988.

IT IS SO ORDERED.

Board Member J. Marlin was not present for the vote.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 7<sup>th</sup> day of January, 1988, by a vote of 5-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board