

ILLINOIS POLLUTION CONTROL BOARD  
September 23, 1993

KNAPHEIDE MFG. CO., )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 93-169  
 ) (Variance)  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by C. A. Manning):

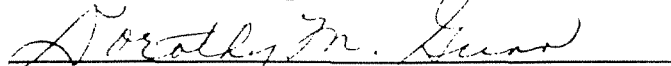
On September 8, 1993, the Knapheide Mfg. Company ("Knapheide") filed a petition for variance relief for its facility located in Quincy, Illinois. The Knapheide Company has recently received two provisional variances from the Board to allow it to move it's operations from Missouri to Illinois due to the Mississippi River flooding. (See PCB 93-141, July 29, 1993, and PCB 93-168, September 9, 1993.)

The Board, on September 9, 1993, entered an order requesting Knapheide to amend its petition filed on September 8, 1993, to cure certain deficiencies in that filing. The Knapheide Company filed an amended petition on September 16, 1993. Knapheide in its amended petition has waived its right for a hearing in this matter pursuant to 35 Ill. Adm. Code 104.124. In addition, Knapheide notes that the Agency is not planning to submit a State Implementation Plan revision regarding this variance. Accordingly the Board will not schedule a hearing in this matter unless a hearing request is filed pursuant to Section 37(a) of the Illinois Environmental Protection Act ("Act"). The matter is held pending an Agency recommendation filed pursuant to 35 Ill. Adm. Code 104.180(a).

The Board's 120 day decision deadline starts upon the filing of the amended petition pursuant to Section 38 of the Act. Therefore, the decision due date for this matter is January 15, 1994. The Board notes that it will continue to handle this matter expeditiously and respectfully requests that the Agency submit its recommendation expeditiously to achieve this end.

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 23rd day of September, 1993, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board