

ILLINOIS POLLUTION CONTROL BOARD  
August 7, 1975

AMERICAN CAN COMPANY, )  
Petitioner, )  
 )  
v. ) PCB 75-311  
 )  
ENVIRONMENTAL PROTECTION AGENCY, )  
Respondent. )

INTERIM ORDER OF THE BOARD (By Mr. Zeitlin):

On July 18, 1975, the Board received a "Petition for Variance from Board Order" from American Can Company, seeking relief from the Board's Feb. 27, 1975 Order in an enforcement case. EPA v. American Can Co., PCB 73-515.

The matters raised here are more properly addressed in a new proceeding. But insofar as American Can's pleadings relate to a Stipulation approved by the Board in the earlier enforcement matter, and to avoid duplication of effort, it is suggested that the Environmental Protection Agency, (here named Respondent), and American Can, (now designated Petitioner), stipulate to inclusion of the record in PCB 73-515 in the instant record.

The Clerk of the Board shall designate the instant cause as a new Variance petition, and the matter shall be set for Agency Recommendation.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 7<sup>th</sup> day of August 1975 by a vote of 3-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board