ILLINOIS POLLUTION CONTROL BOARD

March 6, 1975

MERCK AND COMPANY, MANN FARMS, INC., Petitioner,)))	
V •)) PC	В 74-470
ENVIRONMENTAL PROTECTION Respondent.	AGENCY,)	

INTERIM ORDER OF THE BOARD (by Dr. Odell)

On December 16, 1974, Merck and Company (Merck) filed its Petition for Variance with the Pollution Control Board (Board). Merck sought a one-year variance from the particulate emission standards of Rule 203(e)(3) of the Air Pollution Regulations (Chapter Two) to enable it to incinerate 20,000 pounds of animal carcasses tested annually with experimental drugs. The Mann Farm is located in a rural area near Tallula, Menard County, Illinois. On February 6, 1975, the Environmental Protection Agency (Agency) recommended that the variance be denied. The Agency took issue with several conclusions of the Petitioner as set out in its December 16, 1974, Petition.

We order that a hearing be held to properly resolve the issues in this case. In addition to information deemed material by the parties, it is requested that evidence be submitted on the following issues:

- 1. The feasibility of up-grading the present incinerator, including costs and resale value.
- 2. The efficiency of Merck's present methods of incineration, including possible health effects from incomplete burning.
- 3. The size of Petitioner's operations including number of employees, annual payroll, and book value of the facilities.
- 4. The date by which Petitioner will bring its facility into compliance, or alternatively, the date Petitioner plans to completely close down its incinerator.

Since the 90-day requirement for final Board action under Section 38 of the Environmental Protection Act will run in approximately seven days, the Board requests that Merck waive this requirement until 45 days after the conclusion of hearings. Failure to waive the 90-day requirement by March 12, 1975, will make the Petition for Variance subject to dismissal for lack of information.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the day of ______, 1975, by a vote of ______ to ____.
