

ILLINOIS POLLUTION CONTROL BOARD

November 7, 1974

NATIONAL BY-PRODUCTS, INC.)
)
 Petitioner,)
)
 vs.) PCB 73-208
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Henss):

On March 14, 1974 National By-Products, Inc. was granted a variance from Section 9(a) of the Environmental Protection Act and Rule 802(b) of the Air Pollution Control Regulations for its Decatur rendering plant until August 15, 1974. The variance was made subject to certain conditions, including the construction of a cover over the hotwell and the evaluation of odors after installation of the hotwell cover. Paragraph 2 of the Order stated:

"The installation of the hotwell cover and subsequent routing of all noncombustible gasses from the hotwell to the plant boiler shall be completed not later than June 1, 1974".

Subsequently, the Company reported that it lost thirty days of construction time because of unusually heavy rains and floods. The Company requested a thirty day extension for completion of Item 2 of the Board Order and stated that the hotwell cover program could be completed by July 1, 1974.

This is a request which can be allowed without extending the variance which was originally granted to August 15, 1974. The Board considers this to be a Motion Subsequent to Entry of Final Order and not a new variance request.

The Agency sent an investigator to the plant and found that the facts stated by Petitioner are accurate. The Agency recommends that we grant Petitioner's Motion.

The Board finds that Petitioner is not at fault in this thirty day delay and the extension of time should be allowed.

ORDER

It is the Order of the Board that National By-Products, Inc. have until July 1, 1974 for the installation of the hotwell cover and subsequent routing of all noncombustible gasses from the hotwell cover to the plant boiler.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 7th day of November 1974 by a vote of 4 to 0.


