## ILLINOIS POLLUTION CONTROL BOARD May 10, 1973

HOLLAND ICE C	REAM AND	CUSTARD	COMPANY	)	#73-112
V •				) )	#/3-112
ENVIRONMENTAL	PROTECT	ION AGEN	CY	)	

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

In our Order of March 29, 1973, entered in case entitled Environmental Protection Agency v. Holland Ice Cream and Custard Company, #71-319, our Order provided inter alia, as follows:

- "2. Respondent and the Environmental Protection Agency shall report to this Board by April 12, 1973 the complete details of the final plan to bring Respondent into compliance, and the Agency shall, as soon as possible, consider the issuance of the necessary permit to Respondent.
  - 3. The following time table shall be followed after issuance of the necessary permit:
    - a. Date by which contracts are to be awarded ......30 days after Agency permit for installation of the system is issued.
    - b. Start of construction......15 days after contracts are awarded.
    - c. Completion of construction...4 months after construction is started.
    - d. Start of full operation.....l week after construction is completed."

On March 12, 1973, we received a communication from Holland setting forth its program of construction consistent with our Order butindicating that because of the provisions of Section 921 of the Water Regulations, the Company is incapable of obtaining a new operating permit notwithstanding the fact that the construction

program is consistent with that which we have previously ordered.

To achieve compliance with the project completion schedule and enable Holland to obtain an operating permit for its existing facility, we grant a variance from the provisions of Section 921 co-extensive with the period of construction as set forth in the Order of the Board and Holland's March 12, 1973 letter but in no event beyond May 10, 1974.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the /oran day of May, 1973, by a vote of / to / .

Chieta In Sett

-2-