

ILLINOIS POLLUTION CONTROL BOARD
November 28, 1972

GRAHAM PAINT AND VARNISH COMPANY, INC.)

v.)

ENVIRONMENTAL PROTECTION AGENCY)

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OPINION AND ORDER OF THE BOARD (by Mr. Dumelle)

The petition dated November 8 requests a further extension until January 1, 1973 of Graham's original variance from the mercury discharge regulations (PCB 71-114, November 8, 1971, 3 PCB37).

The petition is wholly inadequate and we dismiss it. No statements are made as to the present or projected mercury content of Graham's effluent. No mention is made of the conditions of the original variance and whether these have been met. The petition fails to give a measure of the hardship upon the public that the grant of the variance would entail.

The Agency filed a motion to dismiss on November 21, which details the glaring inadequacies of the variance petition. We agree with the Agency.

This opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

The petition for variance is dismissed without prejudice.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 28th day of November, 1972 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board