

ILLINOIS POLLUTION CONTROL BOARD
October 10, 1972

BABBITRITE PRODUCTS CO.)
)
 v.) # 72-294
)
ENVIRONMENTAL PROTECTION AGENCY)

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

The amended petition states that a permit issued by the Environmental Protection Agency requires submission of test data on asbestos emission controls by July 16, 1972; that tests were taken by that time; but that reports cannot be submitted until early August. Extension of the time allowed was sought. The Agency has not filed its recommendation, and the 90-day period in which we must decide the case has almost expired. The period for which the variance was requested has also expired, and there seems to be no present controversy as to whether the late filing was justified. In the unlikely event an enforcement action is filed on the basis of a few days' delay, we can consider the company's justification at that time. On the present facts the petition is dismissed as moot.

I, Christan L. Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order on the 10th day of October, 1972, by a vote of 5 to 0.

Christan L. Moffett