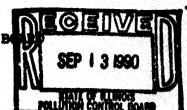
Original Do Mot Remova

BEFORE THE ILLINOIS POLLUTION CONTROL B



ALLIED-SIGNAL INC., a corporation,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

No. PCB 88-172

PETITIONER'S MOTION TO MODIFY VARIANCE

Petitioner, Allied-Signal Inc. (Allied), hereby moves the Board to modify an interim submittal date set out in the Variance in this matter issued November 2, 1989, stating as follows:

- 1. On November 2, 1989, the Board issued an opinion and order in this matter, granting Allied a variance until February 17, 1991, from the arsenic effluent limitation set forth at 35 Ill. Admin. Code 304.124. The Variance applys to Allied's waste water discharge from the its Metropolis, Illinois facility.
- 2. The Board's variance order set an interim deadline of 120 days before expiration of the variance (i.e. October 20, 1990), by which Allied is required to submit a comprehensive engineering evaluation of the treatability of arsenic from its

facility and, if appropriate, a petition to extend the variance, together with a plan and schedule for compliance.

- 3. Pursuant to the variance, Allied has made extensive efforts to conduct a comprehensive engineering evaluation of its waste water. It is currently awaiting a last round of data in its study, which and will not be available in time for Allied to complete its ongineering evaluation and petition to extend the variance by the required interim date.
- 4. Allied expects to have all final data available to complete its engineering evaluation report and submit it with any appropriate petition by November 19, 1990, 30 days after the current interim deadline. This date is 90 days prior to the expiration of the variance, and should adequately allow for Illinois EPA and Board review of the engineering evaluation and any petition for extension of the variance.
- 5. Allied has discussed this motion for modification of the variance with the Illinois EPA, and has been informed by its counsel that it has no objection to the granting of this motion.

WHEREFORE, Allied moves the Board for an order modifying the Variance to allow Allied until November 17, 1989 to file its comprehensive report with IEPA and, if appropriate, a petition to

extend the Variance together with all required supporting information and compliance plans.

Respectfully submitted,

ALLIED-SIGNAL INC.

By:

One of Its Attorney

James R. Morrin
Thomas W. Daggett
WILDMAN, HARROLD, ALLEN & DIXON
225 W. Wacker Drive
Chicago, Illinois 60606
(312) 201-2000

STATE OF ILLIMOIS)
COUNTY OF COOK)

Glenda D. Burns, being first duly sworn on oath, deposes and states that one has mailed a copy of the foregoing PETITIONER'S MOTION TO MODIFY VARIANCE to each attorney of record in the above and foregoing case, this 13th day of September, 1990, by depositing it in the U.S. Mail, First Class, postage prepaid at 225 West Wacker Drive, Chicago, Illinois 60606-1229.

Glenda A. Burns

Subscribed and Sworn to before me this 3th day

Notary Public

"OFFICIAL SEAL"

Donna Marie Naessens

Netway Public, State of Illinols

My Commission Expres Feb. 4, 1991