ILLINOIS POLLUTION CONTROL BOARD
June 14, 1973

ENVIRONMENTAL PROTECTION AGENCY, Petitioner,	)	
v.	)	#72-468
ELIZABETH STREET FOUNDRY, INC., Respondent.	)	

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

Respondent has filed a petition to modify our Order of April 17, 1973 in which we directed that prior to June 17, 1973, Respondent cease and desist its pollutional discharge and submit a program of compliance prior to said date. The Order also directed that the parties conduct such testing as is necessary prior to June 17, 1973 to ascertain that Respondent is in compliance with all relevant regulations with respect to the control of air pollution.

Respondent has stated in its motion that the presence of a spark arrester creates difficulty in testing its emissions, in that testing before the spark arrester would fail to take into consideration the discharges diminished by said devices, and that a sampling above the stack would be a testing of the ambient air to which results the testing companys would not certify.

Respondent proposes to install an afterburner and requests that our Order be modified to permit such installation, that the stack test be taken subsequent to the completion of the installation, and that Respondent continue to operate while proceeding with the afterburner installation and tests.

While we are not unfavorably disposed to the request, Respondent has given no indication of its time schedule for compliance as we had previously directed, and accordingly, must deny the motion at the present time. We direct that Respondent file with the Agency and the Board its proposed schedule of installation and testing within 10 days from the date hereof, and will enter such further order as shall be appropriate upon receipt of the foregoing submission.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 14th day of June, 1973, by a vote of 3 to 0.

Christan L. Moffett