

ILLINOIS POLLUTION CONTROL BOARD
October 24, 1972

CENTRAL SOYA CO.)
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 v.) # 72-320
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 ENVIRONMENTAL PROTECTION AGENCY)

Opinion & Order of the Board (by Mr. Currie):

Central Soya asks a one-year extension of the deadline for compliance with the effluent standard for fecal coliform, alleging that other wastewater treatment improvements now in progress will make interim chlorination facilities costing some \$30,000 obsolete in a short time. Thinking the case likely to be capable of resolution on the pleadings, we scheduled no hearing pending receipt of the Agency's recommendation. That recommendation raises substantial questions as to the propriety of granting a variance, indicating the desirability of a hearing to develop the facts. Were it not for the imminent expiration of the 90-day period within which we must enter an order, we should simply set the case for hearing. If a timely waiver of the 90-day requirement is filed, we shall do just that in order to save time and effort. In the absence of such a waiver, however, the variance will stand as dismissed without prejudice, for the allegations before us are insufficient to justify the grant of a variance, especially in light of the bare conclusion that no harm to the environment will be caused if the variance is granted.

It is so ordered.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion & Order this 24th day of October, 1972, by a vote of 2-0.

