

ILLINOIS POLLUTION CONTROL BOARD  
April 6, 1989

MINNESOTA MINING AND )  
MANUFACTURING COMPANY, )  
 )  
Petitioner, )  
 )  
v. ) PCB 88-14  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by B. Forcade):

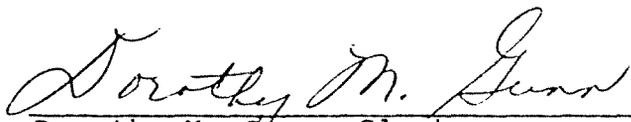
On March 8, 1989, Minnesota Mining and Manufacturing Company ("3M") filed a Motion for Reconsideration or Clarification in this matter. That motion identifies certain potential problems with the Board's February 2, 1989, Opinion and Order. On March 27, 1989, the Illinois Environmental Protection Agency ("Agency") timely responded. The Board grants reconsideration, but orders additional memoranda on the matter.

3M asserts that language chosen by the Board could create the impression that the control program for lines 2H and 3H would be effective by April 1, 1989, when that would be contrary to the intentions of both parties. The Agency agrees that there is an inconsistency in the Order regarding those lines, and that the Board could address those lines in an Order in this proceeding. Neither party has provided specific language that could be added to or deleted from the Board's February 2, Order to cure the perceived inconsistency. The Board's February 2, Order was clearly intended and written to grant a requested variance with agreed conditions imposed verbatim. See Opinion p.3.

The Board is having difficulty in determining the matters on which the parties agree and what specific language would satisfy that agreement. Therefore, the Board will order the parties to file memoranda, not later than May 5, 1989, which provides specific language that would be added to or deleted from the February 2, Order to implement the agreement of the parties. To the extent the parties cannot agree on language, each must file their specific recommended language changes by May 5, 1989.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 6<sup>th</sup> day of April, 1989, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board