

ILLINOIS POLLUTION CONTROL BOARD
June 7, 1990

AMERICAN STEEL CONTAINER)	
COMPANY, DRUM SHOP)	
)	
Petitioner,)	
)	
v.)	PCB 87-91
)	(Variance)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
)	

ORDER OF THE BOARD (by J.D. Dumelle):

On August 10, 1987, American Steel Container Company, Drum Shop ("American Steel"), filed its amended petition for a variance seeking an extension of a prior variance granted on August 2, 1984 and a modification of a prior variance granted on April 16, 1987 from Sections 215.204, 215.211 and 215.212 of the Illinois Pollution Control Board's ("Board") Air Pollution Control Regulations. The basis of the petition was the unavailability of control technology by which American Steel could gain compliance. On December 9, 1988, a Hearing Officer Order was entered with the Board stating that in the furtherance of settlement discussions a hearing has been postponed indefinitely. Also, the petitioner filed a waiver of decision deadline until June 30, 1989. Subsequently the decision deadline has been waived until September 30, 1989, April 30, 1990, July 31, 1990 and finally November 30, 1990. A year-and-a-half has elapsed since the Hearing Officer's order was entered postponing a hearing indefinitely.

The Board has been advised by the Hearing Officer that the parties are still close to formalizing a settlement. The parties are awaiting the arrival of certain equipment. However, why is it necessary for the Petitioner to have equipment actually on hand in order for the Board to render a decision on a variance? The Board requests the parties submit a status report no later than July 2, 1990.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board do hereby certify that the above Order was adopted on the 7th day of June, 1990, by a vote of 7-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board