

ILLINOIS POLLUTION CONTROL BOARD

May 16, 1996

J.M. SWEENEY CO.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 96-184
	)	(Variance - Air)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J. Theodore Meyer):

On May 10, 1996 J.M. Sweeney Co. (Sweeney) filed a Motion for Leave to File Instant Supplement to Petition for Variance and Modification of Prayer for Relief, and a Supplement to Petition for Variance and Modification of Prayer for Relief.

Sweeney states that on May 6, 1996 the Illinois Environmental Protection Agency (Agency) notified Sweeney that its High Priority Corrective Action Plan (CAP) and budget were not approved. The Agency also informed Sweeney that it had 60 days to submit a modified CAP and budget. Once the Agency receives a modified CAP and budget, the Agency then has 120 days to review and either approve or disapprove the revised CAP and budget. As a result, Sweeney may not receive approval until November 1996. Therefore, Sweeney requests additional time in which to receive a response from the Agency, and to begin construction and corrective actions, including the addition of a Stage II vapor recovery system, the subject of this petition for variance.

The Board accepts this filing as an amended petition. Sweeney filed an open waiver of the decision deadline in this matter on March 21, 1996. Therefore, no recalculation of a decision deadline is necessary.

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 _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board