

ILLINOIS POLLUTION CONTROL BOARD

February 14, 1974

KOPPERS COMPANY, INC., )  
 )  
 ) Petitioner, )  
 )  
 v. ) PCB 74-63  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by Mr. Henss)

Petitioner filed variance petition on February 8, 1974 and at the same time filed a Motion requesting entry of an order directing the EPA to file its Recommendation no later than February 15, 1974. The date Petitioner has selected for the Agency to file its Recommendation is just one week after the filing of the Variance Petition and is just one day after the Board meeting at which the Motion was presented. Reasonable men could not expect the Agency to file a Recommendation on such a time schedule. It would be impossible to physically perform the task and give any attention to the issues formulated by this proceeding. If Koppers wanted the Agency to file a Recommendation by February 15, 1974 it should have commenced its action earlier.

IT IS ORDERED that the Motion for the early filing of a Recommendation be denied.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 14<sup>th</sup> day of February, 1974 by a vote of 5 to 0.

Christan L. Moffett