

ILLINOIS POLLUTION CONTROL BOARD  
June 2, 1983

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Petitioner, )  
 )  
v. ) PCB 81-116  
 )  
VICTORY MEMORIAL HOSPITAL )  
ASSOCIATION, )  
 )  
Respondent. )


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

On May 16, 1983 the Victory Memorial Hospital Association (Hospital) filed a motion for modification of the Board's February 10, 1983 Order in this matter. While this motion was not filed within 35 days of the entry of that Order (as required by 35 Ill. Adm. Code 103.240), the Board will consider the motion and will not require that the relief be pursued through a variance proceeding. The Board was aware at the time it entered that Order that the period allowed to attain compliance was short. However, it did so in an attempt to assure compliance at the earliest possible date. The Hospital has, apparently, been proceeding expeditiously toward compliance, but has discovered that an additional three months will be required. The Board notes that the record failed to support any particular compliance mechanism and that considerable time has been required to identify available compliance options. Since the time period to identify these options could not have been accurately assessed within the 35 day reconsideration period, the Board will consider this motion as a motion pursuant to 35 Ill. Adm. Code 103.241(b)(1). As such, it is timely.

The motion is granted, and the Hospital is hereby given an additional 90 days to cease and desist from further violations. The Board reiterates, however, that compliance is expected to be attained as expeditiously as possible.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 2<sup>nd</sup> day of June, 1983 by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board