

ILLINOIS POLLUTION CONTROL BOARD  
January 11, 1990

TEXACO MARKETING & )  
REFINERY )  
 )  
Petitioner, )  
 )  
v. ) PCB 90-5  
 ) (Provisional Variance)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (J. Marlin):

This matter comes before the Board upon receipt of an Agency Recommendation dated January 9, 1990. The recommendation refers to a request from Petitioner, Texaco Marketing & Refinery for a 30 day provisional variance from the 90-day on-site limitations for hazardous wastes set forth in 35 Ill. Adm. Code 722.134(b).

Upon receipt of the request the Agency issued its recommendation, concluding that the hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary and uncontrollable circumstances and failure to grant the requested 30-day provisional variance would impose an arbitrary or unreasonable hardship on Petitioner.

The petition actually requests three separate provisional variances for wastes with three different accumulation periods, as follows:

<u>Accumulation Start Date</u>	<u>Requested Variance Term</u>
October 12, 1989	January 10, 1990 to February 9, 1990
October 2, 5 & 6, 1989	December 31, 1989 to January 30, 1990
September 14, 18 & 19, 1989	December 13, 1989 to January 12, 1990

Having received and examined the Agency Recommendation, the Board hereby grants the Petitioner provisional variances from 35 Ill. Adm. Code 722.134(b) as requested for the times outlined for those wastes lawfully marked with the accumulation dates, as follows:

Accumulation Start Date

Granted Variance Term

October 12, 1989

January 10, 1990 to February 9, 1990

October 2, 5 & 6, 1989

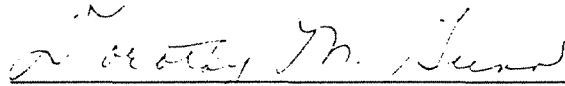
December 31, 1989 to January 30, 1990

September 14, 18 & 19, 1989

December 13, 1989 to January 12, 1990

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 11<sup>th</sup> day of January, 1989, by a vote of 7-0.



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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board