



(217) 782-5544  
TDD: (866) 273-5488

August 17, 2023

Don Brown, Clerk  
Illinois Pollution Control Board  
60 East Van Buren St., Ste. 630  
Chicago, IL 60605  
[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

Re: Notice of Provisional Variance Approval - Land

Dear Mr. Brown:

Pursuant to Subsection 37(b) of the Illinois Environmental Protection Act (415 ILCS 5/37(b)), attached is a copy of the Illinois EPA's recent approval of an application for provisional variance. As you know, the Board must maintain for public inspection copies of all provisional variances filed with it by the Illinois EPA. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles W. Gunnarson".

Charles W. Gunnarson  
Chief Legal Counsel

Enclosure

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

August 16, 2023

In re:	)	
	)	
VESUVIUS USA CORP.,	)	(Provisional Variance – Land)
Petitioner.	)	
	)	

Re: Request for Provisional Variance Pursuant to 35 Ill. Adm. Code 722.117(b)

Vesuvius USA Corporation  
Attn: Patrick Barry, Esq.  
General Counsel – North America  
5510 77 Center Drive, Suite 100  
Charlotte, NC 28217

Dear Mr. Barry:

The Illinois Environmental Protection Agency (“Illinois EPA”) has reviewed your August 8, 2022 request for a provisional variance pursuant to 35 Ill. Adm. Code 722.117(b). Based on this review, a provisional variance for a period of 30-days is **GRANTED** by the Illinois EPA.

The applicable facts of this request are as follows:

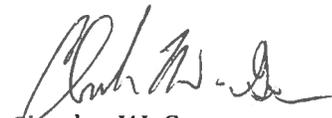
1. The Vesuvius Facility in Charleston, Illinois had an unexpected spill of Furfural.
2. The impacted soil was removed from the ground and the soil is currently being stored in approximately 43 roll-off boxes that are lined and covered.
3. The final disposal of the material will take longer than the 90-day period under the Act.

35 Ill. Adm. Code 722.117(b) allows a generator to seek an extension of up to 30 days by means of a provisional variance from the Illinois EPA if hazardous waste must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. The Illinois EPA finds that such facts and circumstances exist in this situation and hereby **GRANTS** a provisional variance pursuant to 35 Ill. Adm. Code 722.117(b) for a period of 30 days.

The Illinois EPA grants this provisional variance in accordance with its authority contained in Sections 35(b), 36 (c), and 37(b) of the Illinois Environmental Protection Act (415 ILCS 5/35(b), 36(c), and 37(b)) and 35 Ill. Adm. Code 722.117(b). The decision to grant this

provisional variance is not intended to address compliance with any other applicable laws or regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles W. Gunnarson". The signature is fluid and cursive, with the first name being the most prominent.

Charles W. Gunnarson  
Chief Legal Counsel  
Illinois EPA