

ILLINOIS POLLUTION CONTROL BOARD
July 31, 1975

NATIONAL BY-PRODUCTS, INC.)
 Petitioner,)
)
 v.) PCB 75-238
)
ENVIRONMENTAL PROTECTION AGENCY,)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

This matter comes before the Pollution Control Board (Board) upon National By-Products' (National) June 11, 1975, petition for extension of variance granted it November 7, 1974 in PCB 74-322. In the previous action, Petitioner was granted a variance from Section 9(a) of the Environmental Protection Act and Rule 802(b) of the Air Pollution Regulations for its Decatur, Illinois, reducing plant until June 15, 1975. At that time National was to have completed construction of its new rendering plant in Mason City, thereby enabling it to close the Decatur plant.

Petitioner alleges, and the Agency agrees, that it has made a good faith effort to comply with the proposed compliance plan. However, due to delays in delivery of equipment and a strike by a local painter's union, National will not be able to close the Decatur plant until July 15, 1975.

The Board finds that in as much as National has acted in good faith in attempting to comply with its compliance plan and the variance is of short duration, it will be granted.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

It is the Order of the Board that National By-Products, Inc. be granted a variance from Section 9(a) of the Environmental Protection Act and Rule 802(b) of the Air Pollution Regulations until July 18, 1975. Said variance is subject to all the conditions set forth in the Board's Order of November 7, 1974, in PCB 74-322.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 31st day of July, 1975 by a vote of 5-0.


Christan L. Moffett, Clerk