ILLINOIS POLLUTION CONTROL BOARD
November 29, 1973

FANSTEEL, INCORPORATED	)	
v.	)	PCB 73-423
ENVIRONMENTAL PROTECTION AGENCY	)	

ORDER OF THE BOARD (by Mr. Dumelle):

Fansteel's Motion to Amend Order in PCB 72-76 is denied because of the length of time which has transpired since the October 31, 1972 order. However, Fansteel's Motion will be construed as a Petition for Variance from the compliance dates set forth in the Board's Order in Environmental Protection Agency v. Fansteel, Inc. and the City of North Chicago, decided October 31, 1972. The October 26, 1973, date of filing of the construed variance petition will start the 90-day decision period running. The variance petition will be held for Agency recommendation and will be decided without a hearing.

Fansteel is seeking to extend the October 31, 1973 compliance date contained in the previous Board Order, PCB 72-76, until May 1, 1974. No hearing will be held because Fansteel is in substantial compliance with the Board's Order and because the delay in the implementation of the compliance program was caused by the withdrawal of Fansteel's consultant and delay in delivery of a major piece of pollution control equipment.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 29th day of November, 1973 by a vote of 5-0.

Christan L. Moffett, Clerk
Illinois Pollution Control Board