## ILLINOIS POLLUTION CONTROL BOARD June 5, 2003

THE ENSIGN-BICKFORD COMPANY,	)	
	)	
Petitioner,	)	
	)	
V.	)	PCB 02-159
	)	(Variance - Air)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by W.A. Marovitz):

This matter is before the Board on a May 23, 2003 motion by Ensign Bickford Company (EBCo) and Dyno Nobel Inc. (Dyno Nobel), to reopen this docket, 02-159, and substitute Dyno Nobel as the holder of the variance expiring June 20, 2003, that the Board issued on June 20, 2002.

EBCo states that the Illinois Environmental Protection Agency (Agency) concurs that Dyno Nobel should be named as the holder of the variance. Mot. at 3-4. The Agency attorney informed the Board that the Agency did not intend to respond to the motion, and supported the substitution.

EBCo and Dyno Nobel request that the Board change the June 20, 2002 order, so that Dyno Nobel is the named holder of the variance until the variance expires on June 20, 2003. Simultaneous with this request, the parties requested the Board reopen <u>In re Petition of the Ensign-Bickford Company for an Adjusted Standard from 35 Ill. Adm. Code 237.102</u>, AS 00-5 (Mar. 20, 2003), and substitute Dyno Nobel as the holder of the adjusted standard when the adjusted standard expires on June 20, 2003

Effective today in <u>In re Petition of the Ensign-Bickford Company for an Adjusted</u> <u>Standard from 35 Ill. Adm. Code 237.102</u>, AS 00-5 (June 5, 2003), the Board named Dyno Nobel as the holder of the adjusted standard. Consequently, the parties' request that this case be reopened and Dyno Nobel be substituted for EBCo in the variance is denied as moot. A variance is no longer necessary because Dyno Nobel has the adjusted standard effective today, June 5, 2003.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 5, 2003, by a vote of 6-0.

Dorothy Mr. Burr

Dorothy M. Gunn, Clerk Illinois Pollution Control Board