

ILLINOIS POLLUTION CONTROL BOARD  
January 6, 2000

PLEXUS SCIENTIFIC CORPORATION, )  
)  
Petitioner, )  
)  
v. ) PCB 00-112  
) (Provisional Variance - Air)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

ORDER OF THE BOARD (by C.A. Manning):

On January 4, 2000, the Illinois Environmental Protection Agency (Agency) filed a request for provisional variance and notification of recommendation. The Agency recommends that the Board grant a 45-day provisional variance. Plexus Scientific Corporation (petitioner) has been retained by the United States Army Industrial Operations Command to decontaminate and demolish five buildings and the wastewater flume at the former Joliet Army Ammunition Plant site in Will County. The provisional variance would allow the petitioner to do so by open burning. In making its recommendation, the Agency states that failure to grant the requested provisional variance for 45 days will result in an arbitrary or unreasonable hardship on the petitioner.

The Board grants the petitioner a provisional variance from 35 Ill. Adm. Code 237.102, which prohibits open burning without a permit. The Board is required, in a provisional variance, to adopt a formal order, assure formal maintenance of the record, assure the enforceability of the variance, and provide notification of the action by press release. Pursuant to Section 35(b) of the Environmental Protection Act (415 ILCS 5/35(b) (1998)), the Board must issue the provisional variance within two days of the filing.

The Board hereby grants the petitioner a 45-day provisional variance subject to the following conditions:

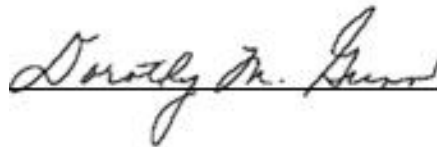
1. The duration of this provisional variance is for 45 days, commencing on January 8, 2000, and ending on February 22, 2000;
2. Open burning shall be conducted pursuant to the Joliet Army Ammunition Plant's federally approved Record of Decision and the materials submitted to the Agency in support of this provisional variance; and
3. Notification shall be sent to the Agency when the burning is commenced and again when it is completed. Notification should be sent to:

Deborah J. Williams, Assistant Counsel  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 East North Grand Ave.  
P.O. Box 19276  
Springfield, IL 62704-9276

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1998)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 172 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 6th day of January 2000 by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board