

ILLINOIS POLLUTION CONTROL BOARD  
September 16, 1971

OWENS-ILLINOIS, INC. )  
 )  
 )  
 v. ) # PCB70-31  
 ) (Supplementary)  
 )  
 ENVIRONMENTAL PROTECTION AGENCY )

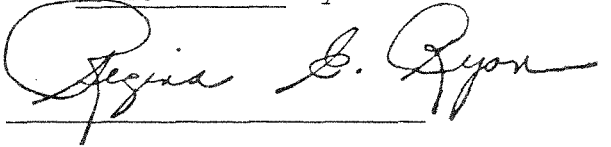
Opinion and Order of the Board (by Mr. Currie):

In its order of January 27, 1971 the Board instructed the petitioner to bring its furnace "B" into compliance with regulation limits by May 15, 1971 and, if necessary, to file a new petition by July 15, 1971 for additional time to bring the emissions from its furnace "D" into compliance.

The new petition filed on June 21, 1971, indicated that the company had brought "D" furnace into compliance by process changes but requested an extension until August 15, 1971 to overcome start up problems encountered in the "B" furnace precipitator. A letter from the company September 8 reported that the precipitator was operating properly and that emissions were in full compliance. Therefore, a variance is no longer necessary and we dismiss the petition as moot. Cf. National Gypsum Co. v. EPA, # 71-99 (August 2, 1971).

This opinion constitutes the Board's findings of fact and conclusions of law.

I, Regina E. Ryan, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion this 16 day of September, 1971.

  
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