

ILLINOIS POLLUTION CONTROL BOARD  
February 3, 1994

MINNESOTA MINING AND	)	
MANUFACTURING COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 91-162
	)	(Variance)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M. McFawn):

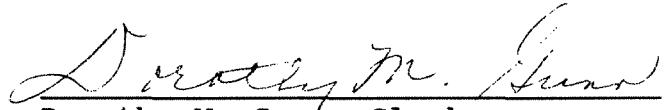
On January 24, 1994, Minnesota Mining and Manufacturing Co., (3M) filed a status report as required by the Board's order of August 26, 1993. 3M reports that a decision anticipated from United State Environmental Protection Agency (USEPA) affecting 3M's petition for variance has not been issued as of January 24, 1994, but that Steve Rosenthal of USEPA informed 3M's counsel by telephone that USEPA would issue a decision within a few months. Based on this, 3M believes that this matter should be continued until such time as USEPA issues its decision.

Since May, 1991 3M has had a Federal Implementation Plan Revision Petition (FIP Petition) pending before the USEPA addressing its capture efficiency (CE) protocol. With its FIP Petition and this Variance Petition, 3M is seeking to continue to use its present method of demonstrating capture efficiency of volatile organic materials. Previously, 3M has reported to the Board that USEPA would delay a decision on its FIP Petition until completing its own study of alternative CE methods. In its August 2 Status Report, 3M reported that during a July 29th telephone conversation, USEPA's Office of Regional Counsel for Region V stated that a decision on CE protocols was then imminent. It was not forthcoming, thus the renewed request for a continuance.

The decision date in this matter has been waived until December 31, 1994. The parties are directed to file an updated status report on or before August 1, 1994. The parties are also directed to keep the Board advised of any decision or action by USEPA concerning the CE protocol in the interim.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 5<sup>th</sup> day of February, 1994, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board