

ILLINOIS POLLUTION CONTROL BOARD
December 20, 1990

THE NUTRASWEET COMPANY and)	
CONSUMERS ILLINOIS WATER)	
COMPANY,)	
)	
Petitioners,)	
)	
v.)	PCB 88-84
)	(Variance)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
)	
Respondent.)	

ORDER OF THE BOARD (by B. Forcade):

On December 18, 1990, The Nutrasweet Company and Consumers Illinois Water Company ("NSC") filed a Motion for Decision and Modification concerning NSC's Adjusted Standard proceeding pending before the Board in AS 89-3 and the variance granted in PCB 88-84 on December 15, 1988. At this time the Board will rule only on the motion for modification of the variance granted in PCB 88-84.

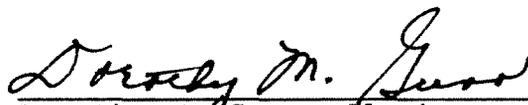
The variance granted to NSC for its total dissolved solids discharge required that NSC file a site-specific rulemaking petition by July 1, 1989; to apply for any construction permits by December 31, 1990; and to complete installation of any required controls by December 31, 1991. It is the internal deadline for the application for construction permits by December 31, 1990 from which NSC now seeks relief. NSC request the Board to allow NSC a period of two months after the Board's decision in AS 89-3 to apply for construction permits should construction be necessary to comply with the Board's order. NSC anticipates that any required construction could be completed by the December 31, 1991 deadline.

NSC represents that the Illinois Environmental Protection Agency supports the requested relief and will not be filing a response to this motion.

As this request relates to an internal deadline in the variance previously granted by this Board and the Agency appears to be in agreement with the petitioner, the Board will grant an extension of the deadline for application of construction permits. However, consistent with the Board's preference to grant such relief only for a limited time and only until a date certain, the Board hereby grants NSC's motion for modification of the date by which NSC must apply for any construction permits until May 9, 1991.

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 20th day of December, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board