

ILLINOIS POLLUTION CONTROL BOARD  
June 10, 1982

BEKER INDUSTRIES CORPORATION, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-224  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by I. Goodman):

On June 1, 1982 Beker Industries Corporation (Beker) filed a motion requesting that the Board modify the final Opinion and Order in this matter, eliminating the condition that its defluorination facility not be activated until monitoring wells for possible cooling pond seepage are installed. (See Paragraph 1(b) of that Order). In its motion, Beker alleges that its defluorination facility was activated in late February, 1980 with the Illinois Environmental Protection Agency's (Agency) knowledge and, at that time, Beker and the Agency agreed that this process caused no material increase of effluents discharged in violation of its NPDES permit.

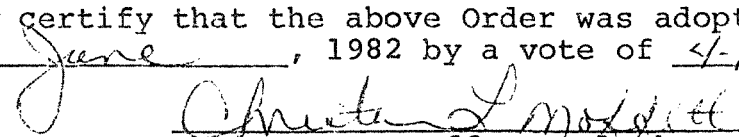
Furthermore, the Agency filed a response to Beker's motion on June 8, 1982 which states that seepage from the cooling pond poses no imminent environmental harm. Since discharge from this production process has been ongoing since early 1980 and the Agency has concluded that its discharge contributes no imminent environmental harm should seepage from the cooling pond occur, Beker will not be required to cease operating its defluorination facility.

Therefore, the language requiring Beker not to activate the defluorination facility prior to installation of monitoring wells, as contained in Paragraph 1(b) of the Order and on page 3 of the Opinion, is hereby vacated.

IT IS SO ORDERED.

Board Member D. Anderson dissented and Board Member J. Anderson concurred.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 10th day of June, 1982 by a vote of 4-1.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board