

justified by the benefits. The exempted classes are basically numerous small sources".

In considering this petition for variance, the threshold question is whether these armory sites fall within the Section 201.146(c) exemption to Section 201.144. If so, no variance is necessary.

The Chicago Avenue National Guard Armory has 304,474 square feet. This building space is used for assembly halls, rifle ranges, classrooms, libraries, learning centers, administrative offices, locker rooms, unit storage, kitchen areas, toilets, mechanical equipment rooms and vehicle storage. There are 64 full time employees and 802 authorized members of the IL Army National Guard (IL ARNG) assigned to the site. The primary purposes of the armory are to provide administrative space for the assigned units of the IL ARNG and to provide a training location for the assigned units on training weekends. The armory is also used at various times by local civilian groups as a meeting site.

The use of the armory, then, is not literally residential, nor is it literally commercial, in the sense of use for the conduct of trade or business, as is a shop. On the other hand, the use is not industrial, and is a heating use akin to that in a "residential or commercial" site.

Accordingly, the Board would interpret the armory use as a "residential or commercial" use within the meaning of the Section 201.146(c) exemption and would propose to dismiss the petition on the grounds that variance relief is unnecessary, provided that the armory's boilers would otherwise fall within the exemption due to capacity. However, due to IMNIL's inadvertent failure to include the permit materials referenced in paragraph 5 as "enclosed", the Board cannot make this necessary factual determination. ILMNG is directed to file information regarding the boilers' capacity on or before August 22, 1986.

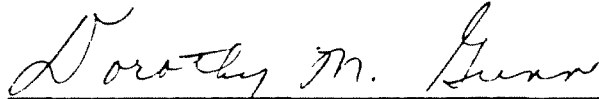
Additionally, recognizing the possibility that other types of emission sources including perhaps churches, schools and other non-industrial, non-residential, non-commercial sources could potentially be impacted by such a ruling, the Board will not enter a dismissal order before receipt of input from the Agency. Given the tight timeframe involved, the Agency is requested to provide a response to this Order on or before August 25. Additionally, in order to allow for the possibility of timely decision in the event the Board determines that a variance proceeding must go forward, the Agency is directed to publish newspaper notice of the filing of the petition without delay. The Agency is also requested to be prepared to file a Recommendation, if necessary, on or before September 8, 1986, to

allow for the possibility of decision in this matter at the Board's September 11 meeting if no objections are filed.

The Clerk is directed to provide first-class, as well as certified, mail service of this Order.

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 14th day of August, 1986 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board