

ILLINOIS POLLUTION CONTROL BOARD
April 24, 1986

FEDDERS-USA,)
)
 Petitioner,)
)
 v.) PCB 86-47
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Anderson):

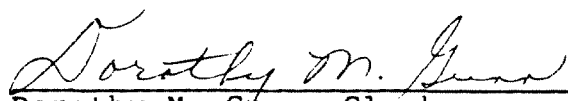
On April 16, 1986, the Agency filed a motion to dismiss and a motion to strike portions of Fedders' April 1, 1986 variance petition. Fedders filed a response in opposition on April 23.

The Agency's motions are denied. On April 10, the Board had issued a more information Order addressing the concerns articulated by the Agency, and requiring the filing of an amended petition; it would appear that the Agency's motion and the Board's Order crossed in the mail. The Agency may renew its motions after analyzing the response Fedders makes to the April 10 Order.

Finally, the Board notes that it does not consider Fedders' April 23 filing to be responsive to the Board's April 10 Order, and thus continues to anticipate the filing of an amended petition.

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 24~~th~~ day of April, 1986, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board