ILLINOIS POLLUTION CONTROL BOARD
December 14, 1978

ASARCO INCORPORATED, Petitioner,	)	
v.	)	PCB 78-302
ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

ORDER OF THE BOARD (by Mr. Dumelle):

On December 5, 1978 Petitioner requested a variance from Rule 204(c)(1)(A) of the Board's Air Pollution Control Regulations. The Petition requests relief for five years or until the Board takes final action in R77-15; whichever occurs first. The Petition fails to state how this request conforms with the mandate of Section 113(d) of the Clean Air Act. That section prohibits the states from granting variances beyond July 1, 1979; and a recent amendment to Section 35 of the Environmental Protection Act states that variances must be consistent with the Clean Air Act. Consequantly this matter is hereby dismissed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 14th day of December, 1978 by a vote of 3-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board