

ILLINOIS POLLUTION CONTROL BOARD
May 22, 1975

HOLLYWOOD BRANDS,)
)
) Petitioner,)
)
 vs.) PCB 75-211
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

ORDER FOR THE FILING OF ADDITIONAL INFORMATION (by Mr. Henss):

In Train, Administrator etc. vs. Natural Resources Defense Council, Inc. et al 43 USLW 4467 the United States Supreme Court ruled that the Clean Air Act authorizes the various states to grant variances from implementation plan requirements if such variances do not interfere with the attainment or maintenance of national ambient air quality standards. Illinois is required to attain the ambient air standards by July 31, 1975. If a variance is to be granted beyond July 31, 1975 it is necessary for the record to establish that the variance will not interfere with the attainment and subsequent maintenance of national ambient air quality standards.

Petitioner requests a variance beyond July 31, 1975 but the petition makes no allegation and there is no statement, testimony or data in the record from which we could determine that the variance will meet the requirements of the Train decision.

Petitioner is ordered to file the additional information in compliance with the Train decision. If the additional allegations and additional information have not been filed by July 7, 1975 the petition shall be subject to dismissal for inadequacy.

It is so ordered.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 22nd day of May, 1975 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board