

ILLINOIS POLLUTION CONTROL BOARD
November 8, 1972

In the Matter of)
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EMISSION STANDARDS)

#R 71-23

Opinion & Order on Motion for Extension of Permit Date
(by Mr. Currie):

The Agency asks us to grant a three-month extension of the date on which operating permits will be required for domestic animal feed grinding mills because the Agency will soon ask the Board to revise the emission regulations applicable to such operations. The request is made "pursuant to Rule 103 (b) (2) (B)" of the air regulations adopted by this Board, PCB Regs., Ch. 2, Rule 103 (b) (2) (B).

We find no authority in the cited rule for this Board to grant any extensions of permit dates. The Agency itself is authorized to allow certain extensions in order to cope with an otherwise unmanageable workload, but that does not seem to cover the present case. The only authority this Board has to allow deviations from the regulations is the statutory variance procedure, which has not been invoked, and which provides important safeguards for the interests of the public. Rule 103 (b) (2) (B) does not, even if it could, authorize us to bypass these important procedures. Cf. Incinerator, Inc. v. EPA, #72-416, 5 PCB ___ (Nov. 8, 1972).

The request is hereby denied.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion & Order on Motion for Extension of Permit Date this 8th day of November, 1972, by a vote of 5-0.

Christan P. Moffett