ILLINOIS POLLUTION CONTROL BOARD
February 14, 1975

INTERCONTINENTAL ALLOYS CORPORATION, Petitioner,	)	
vs.	)	PCB 74-432
ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

DISSENTING OPINION OF MR. HENSS:

I dissent from the Opinion and Order. The Clean Air Act, the National Ambient Air Quality Standards and the Illinois Implementation Plan together establish a compliance deadline which cannot be extended by our variance order. Under the Implementation Plan compliance with the National Ambient Air Quality Standards must be achieved by July 1975. The Opinion and Order adopted today by a majority of the Illinois Pollution Control Board purport to extend the compliance date for Intercontinental Alloys Corporation past the attainment deadline of July 1975. This the Board cannot and should not do.

There is the possibility that a procedure will be developed for coordinating the action of State and Federal agencies in their efforts to establish valid attainment dates for individual sources. Until such procedure has been established and the parties can prove that they are acting in accordance with it, the Board should refuse to extend attainment deadlines beyond July 1975.

Donald A. Henss
Board Member

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Dissenting Opinion was filed this 19th day of February, 1975.

Christan L. Moffett