

ILLINOIS POLLUTION CONTROL BOARD  
August 28, 1975

INTERNATIONAL HARVESTER COMPANY, )  
 )  
 ) Petitioner, )  
 )  
 )  
 ) v. ) PCB 73-211  
 )  
 )  
 ) ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 ) Respondent. )

ORDER OF THE BOARD (by Mr. Dumelle):

Petitioner's Motion to Amend filed on August 4, 1975 is granted. The Motion to Dismiss is denied because of the Amended Petition.

The question of whether a permit should have been forth coming after the grant of a variance in International Harvester Company v. EPA, PCB 73-176 of July 26, 1973, is not at issue in this case. Petitioner is seeking review of the denial of an operating permit prior to the date the variance was granted.

The parties are directed to proceed to hearing within 45 days.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 28 day of August, 1975 by a vote of 3-0.

Christan L. Moffett (gr)  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board