

ILLINOIS POLLUTION CONTROL BOARD
January 8, 1976

INTERCONTINENTAL ALLOYS CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 76-4
)
 ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

INTERIM ORDER OF THE BOARD (by Mr. Zeitlin):

The Petition for Variance filed January 5, 1976, in this matter is deficient in several respects.

First, the Petition fails to detail fully the relationship between this and any previous Variance cases heard by this Board on the facility which is the subject of this matter. The Petition should cite and incorporate by reference any applicable prior case.

Second, the Petition gives particulate emission figures which it states are "depending on the interpretation of the Regulations for calculating the Process Weight Rate" without detailing that "interpretation" sufficiently. In conformity with Procedural Rule 401, the basis for Petitioner's estimate of emissions must be fully described.

Third, the Petition fails to conform fully to the remaining sections of Procedural Rule 401. While adequate reference to a prior case may cure this defect, the Petition is now inadequate.

Fourth, the Petition fails to show whether the grant of this Variance would cause or contribute to a failure to attain or maintain the applicable ambient air quality standards in the area which would be affected.

Petitioner shall amend its Petition within 45 days of the date of this Interim Order to provide the above described information. Failure to timely file an Amended Petition shall cause the Petition to be dismissed for inadequacy. The 90-day decision period set by statute shall run from the date of filing the Amended Petition.

IT IS SO ORDERED.

Dr. Donald Satchell abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 8th day of January, 1976, by a vote of 3-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board