

ILLINOIS POLLUTION CONTROL BOARD

July 17, 1975

BLAKESLEE-MIDWEST PRESTRESSED)	
CONCRETE COMPANY,)	
Petitioner,)	
)	
v.)	PCB 75-269
)	
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
Respondent.)	

ORDER OF THE BOARD (by Dr. Odell)

On July 14, 1975, Blakeslee-Midwest Prestressed Concrete Company filed a Petition For Variance with the Illinois Pollution Control Board (Board). Petitioner requested a variance from Rule 203(a) for particulate emissions of the Air Pollution Regulations (Chapter Two).

More information is required before the Board can decide on merits of Petitioner's request. In Train v. Natural Resources Defense Council, Inc. 43 LW 4467 (April 15, 1975) the United States Supreme Court ruled that variances from implementation plans can be granted provided that the national ambient air quality standards are not violated. Petitioner has not submitted any data on the ambient air quality standards for particulates for the area in which it is located. Additional information is also needed pursuant to the Board's Procedural Rule 401, especially on reasons why Petitioner had not achieved compliance with applicable rules in Chapter Two before filing this Variance Petition.

Petitioner is requested to file the required data within 35 days of the adoption of this Order. Failure to file the necessary information will make the Petition For Variance subject to dismissal for lack of information. The 90-day period for final Board action shall begin to run from the time of the filing of the Amended Petition.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 17th day of July, 1975, by a vote of 5-0.



 Christan L. Moffett, Clerk
 Illinois Pollution Control Board