

ILLINOIS POLLUTION CONTROL BOARD
March 29, 1973

LACLEDE STEEL COMPANY)
)
)
 v.) #73-117
)
 ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Petitioner has filed a petition for review of permit denial pursuant to Section 40 of the Environmental Protection Act. This section provides an appeal mechanism where the applicant contends that the Agency erred as a matter of law in denying the permit and that applicant is legally entitled to the permit.

The petition filed herein sets forth reasons why the Agency denied the permit sought, which demonstrates petitioner's inability to comply with the relevant regulations. The petition shows on its face that the Agency acted properly in denying the permit application, and accordingly, no issue of law is framed by this proceeding upon which the Board would be justified in reversing the Agency's decision. The petition for review of permit denial is denied.

IT IS SO ORDERED.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted on the 29th day of March, 1973, by a vote of 4 to 0.

