

ILLINOIS POLLUTION CONTROL BOARD  
May 15, 1975

BIRD AND SON, INC. )  
 )  
 Petitioner, )  
 )  
 vs. ) PCB 75-166  
 )  
 ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Respondent. )


ORDER OF THE BOARD (by Mr. Henss):

Petition for Variance was filed April 21, 1975, and four days later the Agency filed its Objection to the Petition accompanied by Motion for Hearing. The Motion for Hearing is timely and this matter will be scheduled for hearing on the merits.

In addition to the evidence which is contemplated by the Petition for Variance Bird and Son is ordered to include such information in the record as may be required by the recent United States Supreme Court decision, Train, Administrator, etc. vs. Natural Resources Defense Council, et al (No. 73-1742). There should be some statement, testimony or data in the record from which the Board could determine whether the grant of this variance would interfere with the attainment or maintenance of national ambient air quality standards after July 31, 1975.

It is ordered that the Petition for Variance be scheduled for hearing on the merits.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 15<sup>th</sup> day of May, 1975 by a vote of 5-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board