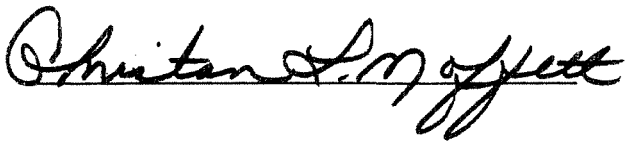
ILLINOIS POLLUTION CONTROL BOARD
May 10, 1972

MARQUETTE CEMENT MANUFACTURING CO.	)	
	)	
	)	
v.	)	#72-194
	)	
	)	
ENVIRONMENTAL PROTECTION AGENCY	)	

Opinion and Order of the Board (by Mr. Currie):

Marquette Cement has asked for a variation from the Rules and Regulations regarding Air Pollution adopted April 13, 1972. The Board's opinion supporting the Regulations held, based on Marquette's specific testimony, that Marquette's proposed control equipment would be likely to meet the air pollution Regulations (pp. 21, 22), and that a variance would not be necessary. The petition does not allege any new facts to the contrary; indeed it refers us to the very testimony on which our decision was based. In the absence of more specific allegations, Marquette is not entitled to the relief it seeks. The petition fails to comply with the requirements of our procedural rules and does not allege facts sufficient, if proved, to justify a variance.

The petition for variance is hereby dismissed without prejudice.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 10th day of May, 1972, by a vote of 5-0.