

ILLINOIS POLLUTION CONTROL BOARD
June 13, 1975

E.J. BRACH & SONS
(American Home Products Corporation),

Petitioner,

v.

ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

PCB 75-233

ORDER OF THE BOARD (by Mr. Dumelle):

Petition filed June 5, 1975 is inadequate in that no ambient air quality data are given sufficient for the Board to make a decision in accordance with Train v. NRDC (No. 73-1742) decided April 16, 1975 by the U.S. Supreme Court.

Petitioner shall submit an amended petition to the Board within 35 days from the date of this Order which shall include the data needed. Petitioner is referred to the Board's Environmental Register No. 102, May 19, 1975, p. 1, for guidance and to the cited cases therein.

Failure to timely file an amended petition within the time limit specified shall render the petition liable to dismissal because of inadequacy. The 90-day decision period set by statute shall run from the date of filing the amended petition provided a waiver to that effect is executed with the Board.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 13th day of June, 1975 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board