ILLINOIS POLLUTION CONTROL BOARD
June 6, 1975

ILLINOIS CENTRAL GULF RAILROAD, Petitioner	)	
v.	)	PCB 75-222
ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

ORDER OF THE BOARD (by Mr. Dumelle):

The Petition, filed May 29, 1975 is inadequate in that no ambient air quality data are given to justify a variance under the recent U.S. Supreme Court decision in Train v. NRDC (No. 73-1742), decided April 16, 1975.

Petitioner is directed to the Board's Environmental Register No. 102, (p. 1), for an explanation of this decision and for citations of recent cases before the Board.

Petitioner shall amend the Petition within 35 days from the date of this Order to provide ambient air quality data sufficient to support the variance under the Train decision.

Failure to timely file the amended petition shall make the case liable to dismissal for inadequacy. The 90-day decision period set by statute for decision shall run from the date of filing the amended petition provided a waiver to that effect has been executed by the Petitioner.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 6th day of June, 1975 by a vote of 5-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board