ILLINOIS POLLUTION CONTROL BOARD
September 6, 1973

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| ALLOY ENGINEERING & CASTING COMPANY, Petitioner, | ) | PCB 73-369 |
| vs. | ) | |
| ENVIRONMENTAL PROTECTION AGENCY, Respondent. | ) | |

ORDER OF THE BOARD (by Mr. Seaman)

On August 30, 1973, Petitioner, Alloy Engineering & Casting Company, a heat resisting alloy foundry, located in Champaign, County of Champaign, Illinois, filed its petition for variance seeking permission to continue to operate its existing foundry facilities until December 30, 1973.

Respondent has received Construction Permits C2-11-095 and C2-11-124 from the Agency. These Construction Permits authorize Respondent to install a baghouse on its three electric furnaces and a second baghouse to control its shakeout, sand mulling, sand reclamation and shell pour operations. On August 9, 1973, Petitioner's application for an operating permit was denied by the Agency and Petitioner seeks permission to continue operation until said control devices are installed.

The Board cannot find in the petition sufficient facts upon which a reasoned decision may be founded. Petitioner's attention is directed to Rule 401 of the Procedural Rules of the Illinois Pollution Control Board. It is evident that Petitioner has used Rule 401 as the basis for its petition; however, the facts presented are inadequate. In particular, Rule 401 (2) requires, inter alia, that Petitioner state the injury that a grant of the variance would impose on the public.

The petition of Alloy Engineering & Casting Company is dismissed without prejudice.

IT IS SO ORDERED.

Mr. Odell abstains.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 6th day of September, 1973, by a vote of 3 to 0.

Christan L. Moffett