

ILLINOIS POLLUTION CONTROL BOARD  
March 10, 1983

INTERNATIONAL HARVESTER, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 83-27  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J. Anderson):


On March 3, 1983 International Harvester applied for a variance from Special Condition 4 of the March 12, 1982 operating permit for its Rock Island "Farmall" plant. The special condition requires stack sampling for particulates of Boilers 1, 2, and 4 prior to application for renewal of the permit.

This request for variance cannot be granted by the Board, as the relief requested is not from one of the Board's regulations. The proper procedure would be for Harvester to request the Agency to modify its permit. If the Agency denies the request, Harvester may then appeal the denial to the Board within 35 days thereafter, pursuant to Section 40 of the Act and the Board's procedural rules as contained in 35 Ill. Adm. Code Part 105.

This petition for variance is dismissed, on the grounds that it seeks relief which the Board cannot grant.

IT IS SO ORDERED.  
Mr. Nega abstained.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, do hereby certify that the above Order was adopted on the 10<sup>th</sup> day of March, 1983 by a vote of 4-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board