

ILLINOIS POLLUTION CONTROL BOARD  
February 25, 1988

MINNESOTA MINING AND )  
MANUFACTURING COMPANY, )  
 )  
Petitioner, )  
 )  
v. ) PCB 88-14  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

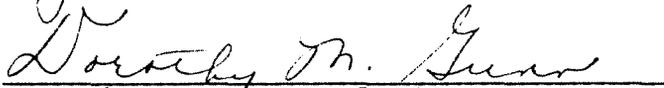
ORDER OF THE BOARD (by B. Forcade):

On February 3, 1988, the Illinois Environmental Protection Agency ("Agency") filed a motion to dismiss variance petition, asserting that the petition does not contain an appropriate compliance plan, in effect seeks rulemaking from the Board, and involves two lines for which no compliance plan is given. On February 16, 1988, Minnesota Mining and Manufacturing Company ("3M") filed a response in opposition to the motion to dismiss, asserting that the Board had determined 3M's petition to be adequate, that no rulemaking is requested, and that the petition does not involve the two additional lines.

The motion to dismiss is denied. The Board has made no determination on the adequacy or inadequacy of the petition. Further, counsel for both the Agency and 3M are well aware of the requirements that must be met for a grant of variance relief. The Board believes the dispute on the adequacy of 3M's request can best be addressed after a full and complete factual hearing on these matters.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 25<sup>th</sup> day of February, 1988, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board