

ILLINOIS POLLUTION CONTROL BOARD  
January 20, 1977

DEERE & COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 76-275
	)	
	)	
ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

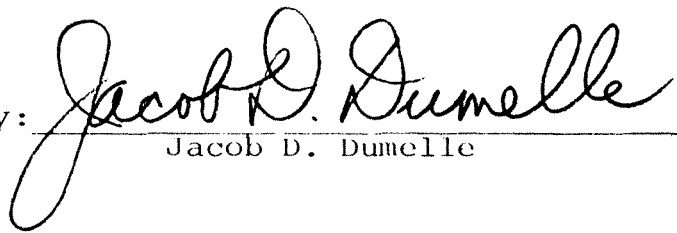
STATEMENT ON ABSTENTION (by Mr. Dumelle):

My reasons for abstaining in this cause are detailed in International Harvester v. Environmental Protection Agency, PCB 75-271, September 15, 1976 (Dissenting Opinion). The U.S. Supreme Court case cited, Train v. NRDC, 421 U.S. 60 (1975), may not allow state air variances after the attainment date (July 1975) for achieving ambient air quality standards.


The Board majority opinion and the dissenting opinion in Harvester were referred by me on October 19, 1976 to the U.S. Environmental Protection Agency Region V office for comment. To date no reply has been received except a communication in January of 1977 to state that my inquiry is still being processed and that it has been referred to Washington.

Until that reply is received I feel it is best to abstain in a related matter such as this.

Submitted by:

  
Jacob D. Dumelle

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Statement of Abstention was submitted on the 24th day of January, 1977.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board