

ILLINOIS POLLUTION CONTROL BOARD  
July 10, 1975

UNIROYAL, INC., )  
Petitioner, )  
 )  
v. ) PCB 75-264  
 )  
ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

INTERIM ORDER OF THE BOARD (by Mr. Zeitlin):

A Petition for Variance was received by the Board on July 7, 1975, from Petitioner Uniroyal, Inc., requesting Variance from certain of the Air Pollution Regulations, as applicable to Petitioner. Specifically, Petitioner seeks relief from the requirements of Rule 205(f) until September 30, 1975. PCB Regs, Ch.2, Rule 205(f).

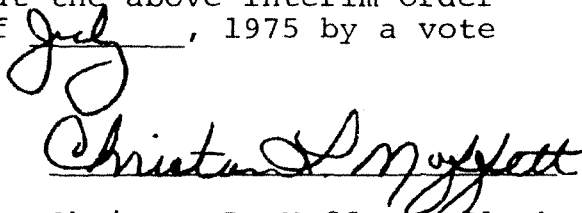
At page 14 of the Petition, Petitioner merely states that "non-compliance with Rule 205(f) by admission... during the Variance period hereby sought will not substantially or materially interfere with the maintenance or attainment of applicable ambient air quality standards." Such a statement, alone, is insufficient to constitute the showing which this Board requires that the grant of a Variance will not in fact interfere with the attainment or maintenance of the National Ambient Air Quality Standards, as mandated under the U.S. Supreme Court decision of Train v. Natural Resources Defense Council, 43 U.S.L.W. 4467 (U.S., April 16, 1975). See, King-Seeley Co., Thermos Division v. EPA, PCB 75-159 (June 13, 1975); Shell Oil Company v. E.P.A., PCB 75-90 (May 22, 1975); Amco Engineering Co. v. E.P.A., PCB 75-134 (May 29, 1975).

For the above stated reasons the Petition herein is inadequate. It is the Order of the Board that the Petitioner shall amend its Petition within 45 days of the date of this Order to provide the above described information. Failure to

timely file the Amended Petition shall cause the Petition herein to be dismissed for inadequacy without prejudice. The 90 day decision period set by statute shall run from the date of filing of the Amended Petition.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Interim Order was adopted on the 10<sup>th</sup> day of July, 1975 by a vote of 5 to 0.



Christan L. Moffett, Clerk  
Illinois Pollution Control Board