

ILLINOIS POLLUTION CONTROL BOARD
July 12, 1973

UNITED STATES GYPSUM COMPANY,)
)
 Petitioner,)
)
 v.) PCB 73-254
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

The Environmental Protection Agency has filed a motion to dismiss the variance based on the inadequacy of the petition. On June 21, 1973, we entered an Order directing that petitioner file an amended petition within 30 days and provide details as to the amount of emissions, their effect on present air quality, and the cost of compliance.

We believe that the amended petition, if in keeping with our Order, will supply the information that the Agency contends is missing from the original petition. Accordingly, we deny the present motion to dismiss without prejudice to the filing of such further pleadings as may be appropriate, based upon the contents of the amended petition for variance to be filed.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 12th day of July, 1973, by a vote of to .