

ILLINOIS POLLUTION CONTROL BOARD
January 10, 1980

CITY OF CHICAGO,)
)
) Petitioner,)
)
) v.) PCB 79-140
)
) ENVIRONMENTAL PROTECTION AGENCY,)
)
) Respondent.)

ORDER OF THE BOARD (by Mr. Goodman):

On December 10, 1979 the Illinois Environmental Protection Agency (Agency) filed a motion to dismiss this proceeding. On December 11, 1979 the City of Chicago also filed a motion to dismiss. Both motions were based upon the fact that the Supreme Court of the State of Illinois in Pollution Control Board v. Illinois State Chamber of Commerce, et al., Docket No. 51671, found that Rule 203(g)(1)(A) of the Board's Air Pollution Regulations was invalid. As the variance sought by the City of Chicago requests a variance from only Rule 203(g)(1)(A), the petition is hereby dismissed as moot.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 10th day of January, 1980 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board