

ILLINOIS POLLUTION CONTROL BOARD
May 5, 1993

ATLANTA MEADOWS LTD. AND)	
R.O.C. PROPERTIES INC.,)	
GENERAL PARTNER,)	
)	
Petitioner,)	
)	
v.)	PCB 93-72
)	(Variance)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by B. Forcade):

On April 15, 1993, Atlanta Meadows Ltd. and R.O.C. Properties, Inc. (Atlanta) filed a petition for variance for Mobet Meadows Mobile Home Park in Rock Island County, Illinois. The petition requests "a variance from the Illinois Environmental Protection Act, the Illinois Pollution Control Board rules and regulations, Title 35, Subtitle C, Water Pollution, Chapter 1 and the Clean Water Act for a period of 2½ years." (Pet. at 10.)

The Board finds the petition to be deficient. Atlanta does not specify any particular provisions of the Environmental Protection Act, the Board's regulations or the Clean Water Act for which it requests a variance. The requirements of a variance petition are specified in 35 Ill. Adm. Code 104.121. A petition shall include a statement of the relief sought, including specific identification of the particular provisions of the regulations from which the variance is sought. (35 Ill. Adm. Code 104.121(a).) The Board will not grant a variance from all applicable regulations as requested by Atlanta.

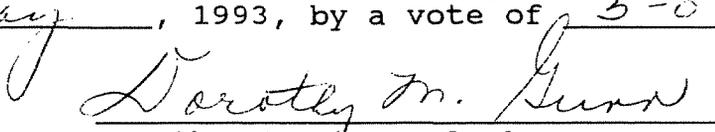
Unless an amended petition is filed within 45 days of the date of this Order, curing the above-noted defect, this matter will be subject to dismissal. The Board notes that for purposes of calculation of the decision deadline pursuant to Section 38 of the Act, the filing of an amended petition will restart the Board's 120 day deadline.

The Board has not reviewed the petition for the other requirements of a variance petition found in 35 Ill. Adm. Code 104.121(b) - (1) but references petitioner to these provisions in preparing any amended petition. The Board instructs the Clerk to forward a copy of the Board's procedural rules containing the requirements for a variance petition to the petitioner along with this order.

IT IS SO ORDERED.

0142-0049

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 5th day of May, 1993, by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board