

ILLINOIS POLLUTION CONTROL BOARD

May 15, 1997

TRI STAR MARKETING, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 97-199
)	(Waterwell Setback Exception)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

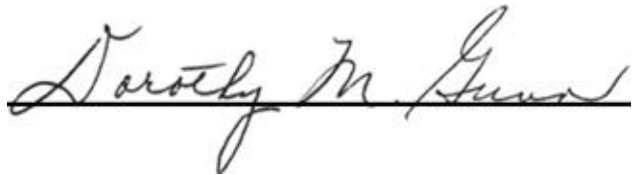
ORDER OF THE BOARD (by C.A. Manning):

On May 12, 1997 the Board received from Tri Star Marketing, Inc. a petition for Waterwell Setback Exception concerning two public water supply wells owned by the City of Byron on a site in Ogle County. The petition is deficient, as it fails to contain proof of service of the petition on the owner of the well, as specifically required by Section 14.2(c) of the Environmental Protection Act and 35 Ill. Adm. Code 106.602(c). Additionally, the inclusion of the affidavit of Kerry S. Gifford does not satisfy this requirement.

An amended petition curing the deficiencies shall be filed within 45 days of the date of this order, or this petition will be subject to dismissal.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 15th day of May, 1997, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board